

1-1-1915

## Revised ordinances of the town of Winter Park, Orange County, Florida, 1915

Town of Winter Park, Florida

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REVISED ORDINANCES  
*of the*  
**Town of Winter Park**

Orange County, Florida

**1915**



**PRICE ONE DOLLAR**

REVISED ORDINANCES

OF THE

# Town of Winter Park

Orange County, Florida

1915

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PRICE ONE DOLLAR

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Reporter-Star Print, Orlando, Fla.

# **WINTER PARK TOWN GOVERNMENT FOR 1915.**

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**MAYOR**

**WILLIAM CHASE TEMPLE**

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**TOWN COUNCIL**

**J. A. HARRIS, Chairman**

**THOMAS M. HENKEL**

**C. D. POWELL**

**ED F. KEEZEL**

**ARTHUR SCHULTZ**

**J. E. PARKER**

**F. W. SHEPHERD**

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**TOWN CLERK, TREASURER, TAX ASSESSOR  
PERCY DALE**

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**MARSHAL**

**D. C. OVERSTREET**

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**TOWN SOLICITOR**

**C. B. ROBINSON**

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**TOWN PHYSICIAN**

**C. E. COFFIN, M. D.**



## CORPORATE LIMITS

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### Of the Town of Winter Park, Florida, as Defined in "Bill 157."

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Beginning at the northeast corner of Section one (1), Township twenty-two (22) south, Range twenty-nine (29) east, running west twenty (20) chains, more or less, to northwest corner of northeast quarter of northeast quarter of said Section one (1); thence south on Orlando avenue four thousand nine hundred and forty (4940) feet, more or less, to center of Boulevard; thence east on said Boulevard three thousand three hundred (3300) feet, more or less, to Virginia avenue; thence south on said avenue one thousand three hundred and twenty (1320) feet to Comstock avenue; thence west on said avenue three thousand three hundred (3300) feet more or less, to Orlando avenue; thence north nine hundred and ninety (990) feet, more or less, to section line between Sections one (1) and twelve (12), Township twenty-two (22) south, of Range twenty-nine (29) east; thence west one thousand three hundred and twenty (1320) feet more or less, to northwest corner of northeast quarter of Section twelve (12); thence south three thousand nine hundred and sixty (3960) feet, more or less, to northwest corner of southwest quarter of southeast quarter of southeast quarter of Section twelve (12), same Township and Range; thence east two and one-quarter ( $2\frac{1}{4}$ ) miles; thence north one-half ( $\frac{1}{2}$ ) mile; thence east one-quarter ( $\frac{1}{4}$ ) mile to section line; thence north on section line one (1) mile to northeast corner of southeast quarter of northeast quarter of Section five (5), Township twenty-two (22) south, Range thirty (30) east; thence west one-quarter of a mile; thence north three-quarters of a mile, more or less, to northeast corner of northwest quarter of southeast quarter of Section thirty-two (32), Township twenty-one (21) south, Range thirty (30) east; thence west one and three-quarter miles to northwest quarter of southwest quarter of Section thirty-one (31), Township twenty-one (21) south, of Range thirty (30) east; thence south two thousand five hundred and sixty (2560) feet, more or less, to beginning.

## AN ORDINANCE

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Adopting and providing for the publication of the Revised Ordinances of the Town of Winter Park, Florida, of 1915.

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Be it Ordained by the Town Council of the Town of Winter Park, Florida:

Section 1. That the accompanying general revision of the ordinances of the Town of Winter Park of a general and permanent nature, revised and reported by the committee on Rules and Ordinances empowered by the Council, by resolution, to revise the ordinances of the Town of Winter Park, be and the same is hereby ordained to be the ordinances of the town of Winter Park, under the title of "The Revised Ordinances of the Town of Winter Park of 1915." Every ordinance of a general and permanent nature enacted by the Council of the town of Winter Park, and every part of any such ordinance not included in said Revised Ordinances or recognized and continued in force by reference therein, is hereby repealed.

Sec. 2. Said Revised Ordinances shall go into effect and be operative thirty days from the date of the approval hereof by the Mayor, or from the date of its becoming a law without his approval.

Sec. 3. The said Revised Ordinances, as submitted, shall be printed under the supervision of the committee on Rules and Ordinances in such type, style and manner as they may approve.

J. A. HARRIS,  
President of Council.

Attest:

BERCY DALE, Clerk.

Approved June 7, 1915.

W. C. TEMPLE, Mayor.

## **RULES OF ORDER**

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**For the Government of the Town Council of the Town of Winter  
Park, Florida.**

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Rule 1. Council shall meet at council chamber on the first Monday of each month at 7:15 o'clock P. M. as the regular meeting of the board.

Rule 2. The president of the board of aldermen shall take the chair at the hour appointed for any regular, adjourned or extra meeting; shall immediately call all members to order and, on the appearance of a quorum, shall cause the minutes of the preceding meeting to be read.

Rule 3. In the absence of the president at any meeting the council shall choose one of its members to act as president pro tem. at that meeting.

Rule 4. The following order shall be observed in the transaction of business:

1. The reading and approving of the clerk's minutes of the preceding meeting.

2. Petitions, resolutions, remonstrances, bills, accounts and miscellaneous communications.

3. Reports of standing committees, in the following order: 1, Finance; 2, Sanitary, Streets, Improvements and Police; 3, Rules and Ordinances; 4, School, Cemetery and Charities; 5, Fire Protection; 6, Water and Light; 7, Auditing.

4. Reports of Select Committees.

5. Communications from the Mayor or other executive officer of the corporation and their reference.

6. Action upon ordinances.

7. Unfinished business of previous meeting.

8. Unfinished business generally.

9. Miscellaneous business.

Rule 5. Every petition or other paper shall, previous to its presentation to the council, be so indorsed as to clearly indicate the substance of its contents, and the name of the member pre-



senting it, and it shall immediately be sent to the clerk's table and the clerk shall properly number it.

Rule 6. All reports of committees shall be in writing and shall be filed by the clerk. All special reports shall state the facts, substantially, appearing before the committee making the report.

Rule 7. All resolutions and amendments thereto shall be sent to the clerk's table and be read by the clerk before they shall be in order. All motions and amendments thereto shall likewise be reduced to writing at the request of the presiding officer or other member of the council, and sent to and read by the clerk before debate.

Rule 8. All questions relating to the priority of business shall be decided by the presiding officer without debate.

Rule 9. Motions or resolutions may be withdrawn by the mover at any time before amendment or having been put to vote.

Rule 10. In all cases of the election of officers or committees by the council the same shall be by ballot.

Rule 11. When a member is called to order he shall immediately sit down and the presiding officer shall decide upon the point of order.

Rule 12. The ayes and nays on any question before the council shall be taken at the call of any of the members.

Rule 13. Any member refusing to vote on any question, unless excused by the council, shall be deemed to be in contempt and shall be liable to censure.

Rule 14. The presiding officer shall decide all questions of order without debate. From his decision an appeal may always be taken by any member, and on such appeal, said officer shall have the right to briefly assign his reasons for his decision, and such appeal can only be sustained by a two-thirds vote of the members present.

Rule 15. No member shall be by the clerk's table while the ayes and nays are being taken or ballots being counted.

Rule 16. After the decision of any question it shall be in order for a member voting in the majority to move a reconsideration of the question, at the same meeting, but at a subsequent meeting any member may make such motion. If a motion to reconsider be lost it shall not be revived without the unanimous consent of the council, and no decision of the council shall be a second time reconsidered without a like leave.



Rule 17. It shall not be in order at any special meeting to proceed to any other business than that for which the meeting was convened, if two members present shall object.

Rule 18. In all cases of entrance of ordinances, resolutions and motions in the clerk's minutes the name of the mover shall accompany the same.

Rule 19. No member shall absent himself from the council before adjournment without leave of the presiding officer.

Rule 20. In all cases involving points of parliamentary law the latest edition of "Cushing's Manual" shall be the book of reference, and its rules, so far as applicable, shall be the rules of this council.

Rule 21. Unless otherwise specially ordered, all committees of the council shall consist of three members, and shall be appointed by the presiding officer and ratified by the council.

Rule 22. It shall be the duty of each committee to report on every subject referred to them within two weeks from the time of reference, unless the time shall have been extended by the council. All reports adopted by the council shall be entered by the clerk in a journal to be kept for that purpose.

Rule 23. No account, bill or claim of any nature shall be ordered paid at the same meeting of the council at which such bill or claim shall have been presented, nor until having been referred to the finance committee.

Rule 24. It shall be the duty of the president of the council to see that the proceedings of every meeting are properly and promptly recorded by the clerk; and the record of every meeting shall be signed by the president of the council and attested by the clerk after their approval.

Rule 25. Any rule of the council may be at any time temporarily suspended, for special reasons, by a two-thirds vote of all the members present; but no permanent alteration shall be made without notice, specifying the object of the change, having been made at a previous meeting.

Rule 26. Every officer whose duty it is made by ordinance, order or resolution of council to report at the regular meetings of the council, shall punctually perform his duty or be fined, at the discretion of the council.

Rule 27. Every ordinance shall receive two readings in council previous to its final passage—once upon the night of its introduction and once at the succeeding regular meeting, when it

shall be acted upon. Provided, that, by the unanimous consent of the council, the ordinance may be ordered to the second reading on the night of its introduction and may be passed.

Rule 28. No ordinance shall be introduced except at a regular meeting of council.

Rule 29. In all matters coming before the council, not otherwise provided for, a majority shall govern. In all cases of a tie the president of the council shall have a casting vote.

Rule 30. Whenever the president of the council shall desire to speak or address the council upon any matter, he shall designate some member of the council to take the chair, and he shall leave the same.

Rule 31. No person other than a member shall be allowed to address the council, unless by a unanimous vote of the council, and when such vote is taken the person so permitted to speak shall take his place within the bar of the council.

Rule 32. No communication to the council shall be entertained unless the same be in writing.

Rule 33. Any additional rule or rules may from time to time be made by council.

## ORDINANCES

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### Relating to the Organization of the Municipal Government of the Town of Winter Park, Florida.

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#### ARTICLE I.

##### Elections.

Section 1. Be it ordained by the council of the Town of Winter Park, Florida, that an annual election of officers shall be held on the first Tuesday in February in each and every year, at which the following officers shall be elected, to-wit: One Mayor, one Clerk ex-officio Treasurer and Tax Assessor, one Marshal, and on the first Tuesday in February, A. D. 1916, and every two years thereafter, three Aldermen, and on the first Tuesday in February, A. D. 1917, and every two years thereafter, four Aldermen for the terms of two years each.

Sec. 2. Be it further ordained that the Mayor shall issue his proclamation announcing said election at least thirty days prior to the day of said election, appointing three judges of election and one clerk of said election; which said proclamation shall be published in a newspaper published in said town, or by posting in three conspicuous places at least thirty days next before the day of election.

Sec. 3. Be it further ordained that the said judges of the election shall count the votes taken at said election for each candidate for each office, make out a list of all those voted for, with the number of votes cast for each, which shall be in words, written at full length, and if any question shall be submitted to an election such certificate shall contain the number of votes cast for and against such question, certify in duplicate as to its correctness, and that said certified lists, under seal, be handed by one of said judges, one to the clerk of the Town of Winter Park and the other to the Mayor.

All elections held to fill vacancies or to decide any question submitted to the electors shall be called and held and returns thereof be made in the same manner and form as above provided.



Sec. 4. Be it further ordained that the council shall meet within three days after the election of town officers, or as soon thereafter as practicable, for the purpose of canvassing the returns of said election and installing the new officers, at which time the officers so installed shall enter upon the discharge of their duties, and continue therein until their successors are duly elected and qualified.

Sec. 5. Be it further ordained that the council, at its first meeting, elect a president from among its members, whose duty it shall be to preside over its deliberations at all meetings, and to act as Mayor pro tem, when the Mayor may be absent or unable to perform his duties by sickness or other disability.

Sec. 6. Be it further ordained that the Mayor may convene the council in special meeting when, in his opinion, business may require it. For which special meeting he shall issue his proclamation in writing, stating the object of said meeting, and shall have each alderman served with a copy of said proclamation at least one day previous to said special meeting, and there shall be no other business transacted at said special meeting save that for which it is called.

Sec. 7. Be it further ordained that if any member of the council shall withdraw or leave the council chamber or place of meeting while the board is in session without first having obtained leave of the council, he shall be fined by the council in a sum not to exceed ten dollars.

Sec. 8. Be it further ordained that the President of the council shall sign all ordinances passed by the council and countersign, in open session of council, all Treasurer's warrants.

Sec. 9. When the President of council is acting as Mayor or absent, a presiding officer of the council shall be elected to fill his place for such time as the said President may be so employed or absent.

## ARTICLE II.

### Mayor.

Section 10. Be it ordained by the council of the Town of Winter Park, Florida, that it shall be the duty of the Mayor of the Town of Winter Park to see that all ordinances of the Town of Winter Park are faithfully executed.

Sec. 11. Be it further ordained that the Mayor shall have the power to veto any ordinance passed by the council of the Town of Winter Park, and it shall be his duty to either approve or veto



any ordinance on or before the next regular meeting of the council after the meeting at which the adoption of such ordinance was had; and when he shall veto any ordinance he shall accompany the same with his reason for so doing in writing.

Sec. 12. Be it further ordained that it shall be the duty of the Mayor to issue his proclamation announcing any regular or special election thirty days prior to any such election.

Sec. 13. Be it further ordained that the Mayor is hereby empowered, by and with the consent of the council, to organize and appoint such police force as may be deemed necessary to insure peace and good order within the municipal limits of said Town of Winter Park.

Sec. 14. Be it further ordained that the Mayor shall issue his mandate, directed to the Marshal, to have brought before him, at such time and place within the corporate limits of the Town of Winter Park as he may designate, any person or persons charged with a breach of any of the ordinances of the Town of Winter Park; and he is authorized to compel the attendance of witnesses, to administer oaths, to inquire into the truth or falsity of the charge and to fix the penalty within the limits prescribed by the laws of the state of Florida and the ordinances of the Town of Winter Park, and to enforce the same.

Sec. 15. Be it further ordained that the Mayor, or in his absence the Mayor pro tem., shall hold his court in the council chamber of the said Town of Winter Park, and that the time for holding said court shall be 10 o'clock A. M., and at such other time or place as the Mayor may deem necessary for the trial of persons charged with the violation of the ordinances of the Town of Winter Park.

#### Contempt of Court

Sec. 16. Whoever shall refuse to obey any legal order, mandate or subpoena of the Mayor, or who shall refuse to testify when required by the Mayor so to do, unless he or she is the party charged with crime, shall be held to be guilty of contempt of court; also, any person who shall be guilty of any disorderly behavior or conduct during the sitting of the Mayor's court shall be subject to punishment for contempt, and shall be punished by fine not exceeding twenty dollars or by imprisonment not exceeding five days.

### ARTICLE III.

#### Clerk of Council, Ex-Officio Treasurer and Assessor.

Section 17. The Clerk of the Town of Winter Park shall also be the Treasurer and Assessor of Taxes of the Town of Winter Park, and shall receive such compensation for services as may be fixed by the town council annually.

Sec. 18. Be it ordained by the council of the Town of Winter Park that the Clerk of the Council shall, before he enters upon the duties of his office, give bond with two or more good and sufficient sureties, to be approved by the council, in such sum as the council shall determine annually by resolution.

Sec. 19. Be it further ordained that the Clerk shall attend all meetings of the council and all Mayor's courts, and shall keep a fair and correct record of their proceedings. He shall also be the custodian of the seal of the town and attest and affix the seal to all official papers requiring said seal. The proceedings of the council, after being read and approved by them, shall be signed by the President and attested by the Clerk.

Sec. 20. Be it further ordained that the Clerk shall keep the following books: 1, A book or rough sheet of minutes; 2, A book of neat and accurate minutes; 3, A book for recording all licenses; 4, An ordinance book; 5, A docket and book of minutes of the Mayor's court; 6, A book recording non-payment or repudiation of warrants; 7, A book recording all tax sales and redemption of same.

Sec. 21. The Clerk shall draw all warrants on the Treasurer, when ordered to do so by the council, and the same shall be countersigned by the president of the council. He shall keep a voucher for each warrant so drawn on the fund designated by the council and on no other.

Sec. 22. The Clerk shall keep with the minutes of the proceedings of each meeting a complete and accurate record of accounts allowed, and shall keep a book called a "Register of Warrants," wherein he shall register all warrants drawn on the Treasurer.

Sec. 23. The Clerk may administer an oath to and take the affidavit of any person charging another with an offense by breach of an ordinance, and may issue a warrant to the Marshal to have the accused person arrested and brought before the Mayor for trial.

Sec 24. The Treasurer shall keep an account with each



separate account provided for in the tax levy for the year, and shall keep an accurate account of all moneys received by him and all moneys disbursed. He shall make monthly reports thereof to the council at its first regular meeting in each month.

Sec. 25. The Treasurer shall pay out no money except on a warrant drawn against him by the Clerk of the council and properly countersigned by the President of the council, with the seal of the town attached thereto. He shall properly cancel all warrants when paid.

Sec. 26. It shall be the duty of the Treasurer to receive all money, or other cash items, which may be paid to him on account of the Town of Winter Park and give his receipt therefor, and the same shall be a fiduciary trust for the Town of Winter Park, and shall be deposited in some bank, approved by the town council, and shall be used for no purpose except in payment of town warrants countersigned by President of council, or the President pro tem., and approved by the council.

Sec. 27. Be it ordained by the town council of the Town of Winter Park that it shall be the duty of the Assessor of Taxes to make a true valuation of property, real and personal, annually for the purposes of taxation; and the total taxes levied upon property by the municipal corporation of the Town of Winter Park, in any one year, shall not exceed one per centum of such valuation in addition to the assessment for the sinking fund.

Sec. 28. Be it ordained by the Town Council of the Town of Winter Park,

(a). That the Town Council shall levy each year at the time of the general levy, such tax as it may deem advisable, for the payment of the principal of the bonded indebtedness of the Town. Such tax, however, not to be less than 2 1-2 mills nor more than four mills. The tax so collected shall form and be exclusively applied to the Sinking Fund for the payment of the principal of the existing bonded debt.

(b). For the faithful application of said tax to the Sinking Fund, and to paying over the money as principal when due; the Mayor, Treasurer and Finance Committee shall be Trustee for the holders of said bonds, and shall be known as the Trustees of the Sinking Fund of the Town of Winter Park.

It shall be the duty of the Collector to pay over such moneys collected, for this special tax, to the said Trustees to be invested in such securities as shall be approved by the Trustees; or in the purchase of the bonds of the existing bonded indebtedness. Pro-

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vided that in no case shall the said Trustees pay more than the par value of the bonds, except by consent of the Council.

The interest accruing from said securities shall be annually re-invested by the Trustees in like securities.

All bonds of the town, which shall be purchased by said Trustees, shall by them be marked canceled and destroyed in presence of Council at open meeting called for that purpose.

Sec. 29. Be it further ordained that the town council shall sit as a board of equalization on the completion of the assessment roll by the Assessor; that they shall give one week's public notice, and that they then shall sit for two consecutive days, and longer if necessary, and listen to all complaints regarding the assessment thus made. That they shall revise and change such assessment roll as to them seems just and equitable, and that such roll, thus revised and changed, shall be the basis for the levying and collecting of taxes for such year.

### ARTICLE IV

#### Town Solicitor

Section 30. Be it ordained by the council of the Town of Winter Park that there shall be an attorney elected by the council, who shall have the title of Town Solicitor, and who shall receive such compensation as may be agreed upon by the council; and it shall be the duty of said Town Solicitor to attend to such business as may be required of him and to give counsel in all cases required of him by the officers of the town.

### ARTICLE V

#### Marshal

Section 31. Be it further ordained by the council of the Town of Winter Park, Florida, that it shall be the duty of the Marshal to make a written statement—sworn to—to the Treasurer of the town on the first Monday in each and every month, showing the amount of money coming into his hands during the month previous and from what sources the same came; and he shall pay over all public funds to the Town Treasurer and take his receipt for same.

Sec. 32. Be it further ordained that the Marshal shall, in addition to such fees as may be allowed to him by the council, receive such salary as shall be agreed upon by the council.

Sec. 33. Be it further ordained that the Marshal shall not leave the limits of the corporation without first having obtained the consent of the Mayor and having an authorized deputy, or



deputies, for whose acts he shall be responsible, and the appointment of said deputy, or deputies, shall be with the approval of the Mayor.

Sec. 34. Be it further ordained that the Marshal shall be always on duty to preserve peace and maintain order, and shall be subject to a fine or be expelled by the council, or suspended by the Mayor, or both, for any neglect of duty.

Sec. 35. Be it further ordained that the Marshal shall give bond with two or more sureties, to be approved by the council, in such sum as the council may determine by resolution annually, conditional upon his accounting for all moneys received by him as said Marshal and paying over the same to the Town Treasurer, as well as for a faithful discharge of all his duties as Marshal.

Sec. 36. Be it further ordained that it shall be the duty of the Marshal to be present at all sessions of the Mayor's Court, to attend all meetings of the Town Council, and to serve all writs of summons, warrants and notices issued by the Mayor or Council, and when required by the Mayor shall summon the Aldermen to attend the meetings of the board. Any failure of the Marshal to comply with any of the requirements of this ordinance shall be punishable by a fine not to exceed twenty-five dollars, to be imposed by the council.

Sec. 37. Be it further ordained that the Marshal, under the direction of the Mayor and Council, shall be Chief of the Police force of the town, and shall exercise general superintendence over the same, and is hereby made responsible for the good government of the same.

Sec. 38. Be it further ordained that it shall be the duty of the Marshal to arrest instanter and confine in the common jail or calaboose all persons who shall be guilty of disturbing the peace, good order and dignity of the Town of Winter Park, by a violation of any of the ordinances thereof whether such cases come under his own observation, or are reported to him by others. Provided that if practicable, he shall first apply to the Mayor for his warrant therefor, in which warrant the offense alleged shall be specifically charged. But if not practicable then the Marshal or his deputy shall make said arrest without a warrant, and said warrant shall be issued immediately after the arrest and confinement of the offender.

Sec. 39. Be it further ordained that it shall be the duty of the Marshal to confine all persons arrested by him in the common jail. Provided that the Marshal shall permit any person or

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persons arrested by him to give bond to be approved by the Mayor, and that he shall be allowed forty cents per day for the feeding and custody of all persons in his charge, which sum is to be paid by the prisoner before he is discharged in case of conviction. But in case of acquittal the town shall be liable for the cost of feeding.

Sec. 40. Be it ordained by the Town Council of the Town of Winter Park, that the Marshal shall in addition to the office of Marshal, act as Sanitary Inspector, and also have the lighting, cleaning and care of the street lamps; also care of Council room such as lighting and sweeping and shall be under charge of the Mayor. Salary for such duties to be fixed by Council from year to year.

Be it further ordained that the Mayor shall have power to appoint Deputy Marshals from time to time as he may deem necessary and that the Mayor shall have power to purchase oil and supplies for street lamps; and that the street lamps shall be lighted on all dark nights, and that all lamps be allowed to burn until midnight, except lamps in front of doctors' offices and depots, which shall be kept burning all night. Also that the town shall provide a place for storing tools and oil.

### ARTICLE VI

#### Vacancies in Office

Section 41. Be it ordained by the Council of the Town of Winter Park, that in the event of any vacancy occurring in any municipal office of the town, except that of Mayor and Alderman, by reason of sickness, death, suspension or expulsion of any officer or other cause, such vacancies shall be filled by the Council, who shall elect or appoint a person to such vacancy by a two-thirds vote of said council. The person so elected to fill such vacancy shall hold the office to which he is thus elected or appointed until the return to duty of the regular incumbent to office, if such incumbent is temporarily absent by reason of sickness, suspension, absence from the town or other temporary cause. And in case of a permanent vacancy by reason of death, resignation, expulsion from office of the incumbent or other permanent cause, then the election or appointment shall be for the remainder of such official term.

Sec. 42. In case of a temporary absence from a meeting of the council of the Clerk, the council may appoint a Deputy Clerk to act for that occasion. And in case of the absence or disability temporarily of the Clerk for a longer period, he may designate a person to act as a Deputy Clerk by the advice and consent of



the council; to act during such temporary absence or disability such deputy shall be duly sworn in manner and form to the oath taken by the Clerk, and his acts shall be valid and binding, within the scope of his duties, in all respects, as the acts of the Clerk himself. In case of failure of the Clerk to make such nomination the council may do so.

Sec. 43. When a Deputy Clerk is duly appointed to supply in the absence of the regular Clerk, such deputy shall give a bond in like manner as the Clerk, to be approved by the council, or may indorse in writing upon said bond their assent to such deputy in the place of the Clerk, and their agreement that such bond shall be valid for all his acts as such deputy, and that all the acts of such deputy shall be considered the acts of the Clerk himself.

## ARTICLE VII

### Duties of City Council

Section 44. Be it ordained by the council of the Town of Winter Park that the President of the Council shall, at its first meeting, appoint the following standing committees, composed of three members each:

1. Committee on Finance.
2. Committee on Sanitary, Streets, Police and Improvements.
3. Rules and Ordinances.
4. School, Cemetery and Charities.
5. Fire Protection.
6. Water and Light Committee.
7. Auditing Committee.

And Council shall appoint for one year one Tax Collector and fix compensation for same.

Sec. 45. Be it further ordained that it shall be the duty of the committee on finance to examine into and report to council at least once in every three months the condition of the finances of the town, and the correctness and manner in which the accounts and books of the various officers are kept; to examine into and report to the council whether any accounts against the town have been paid or not, and that this may be done, all claims against the town shall be referred to said committee before action is taken thereon by the council.

Sec. 46. Be it further ordained that it shall be the duty of the committee on sanitary, streets, police and improvements to have a meeting at least once a month and consider the question

of improving the town and to report to the meetings of the council the result of their deliberations. All ordinances and questions in relation to improvements shall be referred to said committee before action is taken thereon by the council.

Sec. 47. Be it further ordained that it shall be the duty of the committee on Rules and Ordinances at the second meeting of the council, or as soon thereafter as may be practicable, to prepare rules for the government of the council and ordinances for the government of the town and to submit the same to the Town Council for consideration. All Ordinances of a general nature not referable to another committee shall be referred to said committee before action is taken thereon by the council.

Sec. 48. Be it further ordained that it shall be the duty of the committee on charities, school and cemetery to see that no true case of charity suffers; to manage the educational interests of the town; to have charge of and control the cemetery, and all questions affecting these interests shall be referred to this committee before action is taken thereon by the council.

Sec. 49. Be it ordained by the council of the Town of Winter Park that it shall be the duty of the Board of Aldermen to make such by-laws and rules for their own guidance and government as they may deem expedient, and to enforce the same by fine or penalty, and to compel the attendance of its members, and two-thirds of the council may expel any member of the same or any officer of the town for disorderly behavior or misconduct in office.

Sec. 50. Be it further ordained that it shall be the duty of the council of the Town of Winter Park to establish rules, regulations and fees for the registration of voters, for the annual election of municipal officers and for the filling of all vacancies which may occur in the offices of the said town.

Sec. 51. Be it further ordained that it shall be the duty of the Town Council to meet within three days after any annual or special election to canvass the returns of such election, and to certify as to who are elected to fill the offices voted for at such election.

Sec. 52. Be it further ordained that it shall be the duty of the Town Council to pass such laws and ordinances as may be expedient and necessary for the preservation of the public peace and morals, for the suppression of riots and disorderly assemblies, and for the order and government of the town, and to impose such penalties as may be needed to carry the same into effect.



Sec. 53. The Town Council shall not make appropriations in any one year for a greater amount than is allowed to be collected by taxation for that year. It shall be unlawful for any officer of the town to issue a warrant on the Treasurer, except in payment of an appropriation. The approval of a town voucher by the Town Council, as evidenced by the signatures of at least one member of the Finance Committee and the President of Council, audited by the Clerk, shall constitute an appropriation.

Sec. 54. The Town Treasurer shall enter in a book, to be kept for that purpose, the fact of the refusal to pay or non-payment of any warrant which may be presented to him, as such Treasurer, and to include in such entry the description of the warrant, by whom presented, the date of presentation and his reason for such refusal or non-payment; and he shall at the request of the person presenting the same indorse on the back of such warrant the fact of such refusal or non-payment and reason therefor; and his book so kept shall be open to inspection of all citizens.

Sec. 55. Be it further ordained that if at any time the Mayor shall veto any ordinance adopted by the Town Council, the council shall upon receipt of such veto message proceed to vote upon the same, and the vote shall be taken as follows: "Shall the said ordinance be passed, the veto of the Mayor to the contrary notwithstanding." And if two-thirds of the members present shall vote in the affirmative, such ordinance shall become a law.

Sec. 56. Be it further ordained that it shall be the duty of the Town Council to regulate, improve, alter and extend streets and open the same, as well as lanes, avenues and parks; to prohibit encroachments thereon, and to cause obstructions, decayed buildings and ruins to be removed; to construct drains and sewers, and to make such rules and ordinances governing the same as they may deem necesasry.

Sec. 57. Be it further ordained that it shall be the duty of the town council to regulate and control the grading, construction and repair of streets, improvements and sidewalks.

Sec. 58. Be it further ordained that it shall be the duty of the town council to pass such ordinances and resolutions to prevent and abate nuisances and to remove accumulations of trash, filth and water as they may deem necessary for the preservation of the public health.

Sec. 59. Be it further ordained by the council of the Town of Winter Park that it shall be the duty of the Town Council to pass such ordinances as may be necessary to regulate the construc-

tion and control of public bridges and buildings; to make and sink wells and erect pumps to guard against fire, and to provide for the lighting of the town; to enclose and improve such public parks as may adorn the town; to improve and beautify the public cemetery, and all other such acts as they may deem necessary for the general interest and improvement of the town.

## ARTICLE VIII

### Courts and Trials

Section 60. Be it ordained by the council of the Town of Winter Park that any person who is charged, at the instance of another, with any offense against the ordinances of the Town of Winter Park shall be informed by a summons in writing, served on him, of the nature and cause of the accusation; shall have compulsory process for obtaining witnesses in his behalf; shall have a speedy trial before the Mayor; shall be confronted with the witnesses against him and have the privilege of cross-examination, as in the Circuit Court of Florida. The same rules as to the examination of witnesses and the evidence adduced as obtained in said courts, so far as they are applicable in examining courts, shall be applicable in the trial of cases before the Mayor's court. The party accused shall have the privilege of defending himself by counsel or himself, or by both, as to him may seem proper.

Sec. 61. Be it further ordained that it shall be the duty of the Mayor, in all cases when complaint is made under oath of any violation of any of the ordinances and laws of the Town of Winter Park to him, to issue a warrant, directed to the Marshal or any of his deputies, requiring him or them to arrest the offender or offenders and to bring them before the Mayor at his next court, which mandate shall be in the name of the State of Florida and Town of Winter Park; shall name the offense and time and place of trial, bear teste in the name of and be signed by the Mayor, and the same shall be executed by arresting of the accused.

Sec. 62. Be it further ordained that the Clerk shall issue subpoenas for the attendance of all witnesses that may be required before the Mayor's Court.

Sec. 63. Be it further ordained that if witnesses duly served shall fail to appear before the Mayor's Court, said Mayor shall have authority to issue attachments for them and to punish them for failure to attend said court by a fine not to exceed twenty-five dollars.



Sec. 64. Be it further ordained that when the ends of justice may require it the Mayor shall have power to continue cases in his sound discretion under the rules governing the circuit courts of the State of Florida.

Sec. 65. Be it further ordained that the Clerk shall issue an execution instantner when any fine is imposed by the Mayor to be levied upon the goods and chattels of the person or persons fined, which execution shall bear teste in the name of the Mayor and be signed officially by the Clerk and directed to the Marshal of the Town of Winter Park, Florida.

Sec. 66. Be it further ordained that any male person convicted of violating any of the ordinances of said town and upon whom a fine may be inflicted, who shall not be able or refuses to pay such fine and costs, shall be made to work for said town and be allowed fifty cents per day until such fine and costs are paid.

Sec. 67. Be it further ordained that all witnesses in any cause before the Mayor's Court shall be allowed as compensation for each day's attendance fifty cents, such fee to be taxed as costs against the defendant, in case of conviction, and be collected by the Marshal, and in case of acquittal to be taxed against the town. Also that there shall be taxed as costs in all cases of conviction of violation of a town ordinance the fees of the Clerk and Marshal.

## ARTICLE IX

### Precaution Against Fire

Section 68. Be it ordained by the Council of the Town of Winter Park that no person occupying a house or dwelling in the corporate limits of the Town of Winter Park shall be permitted to use a stove pipe as a flue, but they may use stone pipe or brick flues from the ceiling upwards. Any person violating this ordinance shall be fined not exceeding twenty dollars.

Sec. 69. Be it ordained by the Town Council of the Town of Winter Park, Florida:

(a). That the following description shall fix and define the fire limits of the Town of Winter Park:

Beginning at the northeast corner of the intersection of New England and East Park Avenues and running north on the east line of East Park Avenue to Lincoln Avenue, thence east on the south side of Lincoln Avenue to the 20 foot alley in Block 29, thence south on the west side of said alley to New England Avenue, thence

west on the north side of New England avenue to point of beginning. And the territory contained within said lines shall be and constitute the fire limits of said town.

(b). That all buildings hereafter erected shall be made fire proof.

(c). No person shall place or erect any building within the fire limits of the Town of Winter Park without first having obtained a written permit from the Town Council, to place or erect said building.

(d). No additions or alterations shall be made to any building now in the fire limits of the Town of Winter Park without the approval of the Town Council of Winter Park.

(e). A building line is hereby established at a distance of three feet from the east side of East Park Avenue of the Town of Winter Park, and all buildings placed or erected on any lot on the east side of East Park Avenue shall be placed in accord and with said building line, that is three feet from the east side of East Park Avenue within the fire limits as established by section "a" of this ordinance.

(f). Any person who shall violate any provisions of this ordinance shall pay a fine of not less than ten dollars and not more than one hundred dollars, or be imprisoned in the town jail for 30 days.

Sec. 70. Be it ordained by the Town Council of the Town of Winter Park, Florida, that the Fire Ladders and the Extinguishers and their fixtures shall be housed in their places, and any one taking any of them from their places, or molesting them, their houses or boxes in which they are kept, in any way except by order of the Marshal or Fire Committee or in case of fire, shall be punished by a fine not less than five dollars nor more than twenty dollars.

Section 71. Be it ordained by the Town Council of the Town of Winter Park:

(a) No building costing more than \$50.00 shall be erected within the corporate limits outside of the fire district until the owner or contractor shall first have filed with the Town Clerk a general specification of the character of such building to be erected, stating the material to be employed, the purpose for which it shall be used and the estimate of the cost of the same or the contract price thereof, together with a designation of the lot, block and street upon which it is proposed to be erected.



(b). Permits: No person shall erect any building or other structure, or make any addition to any building within the Fire District, or build any porch, leanto or shed to any such building, or make repairs to any building, unless the plans, specifications and estimated cost of same be first filed with the Town Clerk, who shall place his file mark upon such plans, specifications and estimates, and place the same in the hands of the Committee on Fire Protection. Upon approval and order of said committee, the Town Clerk shall issue a permit to the owner or contractor proposing to make or do the improvements named in said plans and specifications, setting forth the name of the applicant, the owner of the property and the location of same, certifying that such plans, specifications and estimates were duly presented to and have been considered by the said Committee on Fire Protection, and that the proposed building, structure or repairs are strictly in accordance with the ordinances of the town, and are therefore permitted to be erected or made. And the Town Clerk shall preserve a carbon copy of such permit.

(c) Any failure to comply with the foregoing provisions shall subject the offender upon conviction to a fine not exceeding twenty-five dollars or to imprisonment not exceeding thirty days or to both such penalties.

Sec. 72. Be it further ordained that no merchant shall sell, weigh, draw, or in any manner expose for sale any powder, kerosene oil, burning fluids, turpentine or any other combustible or explosive material after candle light. Any person violating this ordinance shall be fined not exceeding twenty dollars.

Sec. 73. Be it further ordained that any person guilty of throwing fire balls, crackers, rockets or other fire works within the corporate limits of the Town of Winter Park, and any person who shall discharge any gun, pistol or other fire arm within said corporate limits without a special permit of the Mayor, shall be arrested by the Marshal and shall, upon conviction, be fined not less than one dollar nor more than twenty-five dollars.

## ARTICLE X

### Health

Section 74. Be it ordained by the Council of the Town of Winter Park, that the Mayor and council of said Town of Winter Park shall constitute the Board of Health of said town, and the Mayor shall be the Health Officer of the town.

Sec. 75. Be it ordained by the Mayor and Town Council of the Town of Winter Park, State of Florida:

(a) That the Town Clerk shall be the local registrar of vital statistics, and it shall be his duty to supply to all physicians, midwives, undertakers and others requiring them for use, blank certificates for the registration of births and deaths, which shall be of the standard form approved by the State Board of Health, and to receive, and make copies of such certificates, and transmit the originals to the State Board of Health on the tenth (10th) day of each month, and to issue burial, removal or other permits upon the receipt of complete, satisfactory and properly executed certificates of death; and no dead body of a human being whose death occurs or whose body is found, in this town shall be interred, otherwise disposed of, removed from the town, or held more than seventy-two (72) hours after death, without a burial, removal or other permit issued by the Town Clerk in advance of such interment, other disposition, or removal.

(b) That it shall be the duty of the undertaker or person acting as such to obtain the certificate of death, have it filled out with respect to the personal particulars, present it to the attending physician for the medical certificate of cause of death, and obtain the burial, removal or other permit from the Town Clerk; Provided, that when there was no attending physician, the certificate shall be referred to the health officer or coroner for statement of cause of death.

(c) That it shall be the duty of the physician, midwife, or person acting as midwife, attending a case of confinement in this town to file a complete, satisfactory and properly executed certificate of birth with the Town Clerk within three (3) days thereafter; Provided, that when there was no physician or midwife in attendance then it shall be the duty of the parent, householder, or owner of the premises where the birth occurred to file such certificate.

(d) That it shall be the duty of the Town Clerk to enforce this ordinance and to report to the town attorney all violations thereof, and it shall be the duty of the Town Attorney, upon notice from the Town Clerk or any other person of a violation of this ordinance, to promptly investigate the case and institute the necessary legal proceedings for the imposition of the penalties herein provided.

(e) That any physician, midwife, undertaker, or other person who violates or fails to comply with any of the provisions or



duties of this ordinance, or any section thereof, shall upon trial and conviction thereof be subject to a fine of not less than five nor more than fifty dollars or imprisonment of ten to sixty days or both at discretion of the court.

Sec. 76. Be it ordained by the Council of the Town of Winter Park, Fla., that any person or persons found guilty of throwing paper or trash of any kind on any street, alley or vacant lot, shall be punished by a fine not exceeding twenty-five dollars or imprisonment for not more than twenty days, or by both fine and imprisonment at the discretion of the Mayor.

Sec. 77. Be it ordained by the Town Council of the Town of Winter Park:

(a) That the territory designated in this section as given below is hereby constituted and shall be known and designated as the Sanitary District of said Town, viz: Beginning at the north end of the canal on Lake Osceola, thence run along canal to Lake Virginia, thence along shore of Lake Virginia to French avenue, thence along French avenue, to Kentucky avenue, thence along Kentucky avenue to the A. C. L. Ry. crossing, and thence along said railroad northerly to Comstock avenue, thence along Comstock avenue to Virginia avenue, thence along Virginia avenue to Webster avenue, thence along Webster avenue to shore of Lake Osceola, thence southerly to north end of canal, the point of beginning.

(b) Be it further ordained that it shall be unlawful for any one to allow any outdoor closet within the above described territory to be open for flies, etc., and that said closets shall be screened or otherwise protected so that flies cannot get into them.

(c) Any one violating any provisions in this ordinance shall be deemed guilty of a misdemeanor and subject to a fine of not less than \$5.00 nor more than \$25.00.

Sec. 78. Be it further ordained that all privies in the Town of Winter Park shall be cleaned out at least once a month; that any person violating this ordinance shall be fined not less than one dollar nor more than five dollars.

Sec. 79. Be it ordained by the Town Council of Winter Park, Fla., that no person shall be permitted to keep on any premises in this town any tanks, cisterns, rain barrels or other similar receptacles containing water, unless properly cleaned and kept in a sanitary condition, and provided further, that all tanks, cisterns, rain barrels and other similar receptacles containing water



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shall be covered with such material and in such manner as to prevent mosquitoes, offal, trash, garbage or filth of any kind from entering said tanks, cisterns, rain barrels and other similar receptacles.

Penalty: Any person violating this ordinance shall be punished by a fine of not less than five or more than twenty-five dollars, or by imprisonment not to exceed 60 days or both.

Sec. 80. Be it further ordained that it shall be the duty of the Marshal to make monthly inspections of all privies, and to see that this ordinance is enforced.

Sec. 81. Be it further ordained that no person shall throw on any street or alley, or on his own or the lot of another, any decayed flesh, vegetables or other offensive matter calculated to annoy citizens or endanger health. Any person violating this ordinance shall be fined not exceeding ten dollars.

Sec. 82. Be it further ordained that no hog or pig pen shall be kept within the corporate limits of the Town of Winter Park without a special permit from the council of said town. Any person violating this ordinance shall be fined not exceeding ten dollars.

Sec. 83. Be it ordained by the Town Council of Winter Park:

(a) That the running at large of stock of all kinds, including horses, cattle, swine and sheep, within the corporate limits of the Town of Winter Park be and the same is hereby prohibited.

(b) The Marshal shall impound any stock, horse, mule, ass, goat, bull, steer, cow or other stock or cattle or hogs running at large at any time within the corporate limits. The impounding shall be in the Town Pound.

(c) When any animal is impounded the Marshal shall without delay notify the owner of such animal, if known, and if unknown, he shall post not less than three notices, one at the Town Clerk's office, one at the Town Pound and one at some public place giving description of the animal or animals and requiring the owner to appear within the next ten days and redeem the same. If the owner wishes to contest the justice of the impounding or the amount of the fees or charges made on the same he may within the said ten days appear before the Mayor in his court and have the matter of impounding as well as any charges or fees inquired into and the Mayor shall hear and determine the matter.

(d) When the owner shall apply for the release of any

animal and shall give satisfactory evidence of his ownership to the Marshal the animal shall be released upon the payment of the following fees: For impounding any bull, two dollars; for impounding any cow, steer, calf, horse, ass, mule, sheep, goat or hog, one dollar; for feeding horses, asses or mules per head for each feed twenty-five cents; for feeding other animals per head for each feed, ten cents. For sale of each animal twenty-five cents.

(e) If any animal impounded shall not be redeemed according to this article, the Marshal shall sell it at auction at the Town Pound after advertising the sale not less than thirty-six hours prior thereto in some public way by posting the said notice of sale in three places and one notice shall be placed at the Town Pound. If a newspaper is published in the Town of Winter Park, such notice shall be published in said paper. The proceeds of the sale of any impounded animal shall be placed in the Town Treasury after paying for the feeding and expenses of impounding.

(f) If any owner of an animal within twelve months of the sale of any impounded animal give satisfactory proof of ownership the proceeds of the sale after paying for the feeding and impounding shall be paid over to said owner.

(g) If any owner or any person having in charge any horse, mule, ass, goat, bull, steer, cow or other cattle or stock or hog shall allow the same to go at large at any time within the corporate limits of the Town of Winter Park, he shall be fined an amount equal to the fees which would be necessary to release the said animal or stock if the same were impounded. But no person shall be liable to prosecution under this section if the stock has been taken up and impounded for going at large.

(h) The Marshal receives 50c per head for each animal impounded.

Sec. 84. Be it ordained by the Council of the Town of Winter Park, Fla.:

(a) That no dog shall be allowed to run at large within the town limits of Winter Park, except in charge of some responsible person, unless such dog shall wear a tag as hereinafter provided in this Ordinance. Any dog found at large in violation of this section shall be impounded by the Marshal or any police officer to be delivered to the owner or his agent upon the payment of one dollar to the Town Clerk.

(b) Be it further ordained that the Marshal shall immediately give notice to the owner or to his agent if known, of the impounding of any dog, and if said animal is not redeemed on



or before twenty-four hours from delivery of such notice it shall then be taken without the town by the Marshal and killed. As compensation the Marshal shall receive 50c for each dog impounded and 50c for each dog killed by him.

(c) The Town Clerk shall procure suitable tags to be used as License Tags for dogs, which tags shall be of metal or other substantial material on which tags shall be written, printed or stamped the words: "Winter Park, License No. ...." together with the year issued, which tags shall be sold to the owner or keeper of any dog or dogs at one dollar each and shall be good for that current year and shall be worn by the dog so licensed. The Clerk shall keep a record of all persons procuring such tags and shall receive 20 per cent on all tags sold.

(d) Be it further ordained, that any owner, his agent, or the guardian of any minor owner, or the keeper, of any proud slut who shall permit the same to go at large within the Town of Winter Park, shall upon conviction before the Mayor be fined not less than five dollars nor more than twenty-five dollars or be imprisoned not less than five days and not more than twenty-five days, or by both such fine and imprisonment.

Sec. 85. (a) Be it ordained by the Town Council of the Town of Winter Park, Fla., that it shall be unlawful for any person either as owner or keeper to permit or otherwise allow any domestic fowl or fowls including chickens, ducks, geese and turkeys, running at large within the incorporated limits of the City of Winter Park.

(b) Any person found violating the provisions of this Ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be fined in an amount not under two dollars nor over twenty-five dollars.

Sec. 86. Be it further ordained that the Mayor or Council, upon the recommendation of the Board of Health, shall have full power to cause the owners of lots within the corporate limits of the Town of Winter Park to drain or fill up the same upon the level of the street or alley upon which said lots are situated, and to enforce the same by penalty, not to exceed \$50.00 or 30 days.

Sec. 87. Be it ordained by the Town Council of the Town of Winter Park, Florida:

(a) Any building placed or constructed within the following described limits fixed by the ordinance establishing the limits for the bucket system in the Town of Winter Park, to-wit: Beginning at the north end of the canal on Lake Osceola, thence run



along the canal to Lake Virginia, thence along shore of Lake Virginia to French Avenue, thence along French Avenue to Kentucky Avenue, thence along Kentucky to Atlantic Coast Line Ry. crossing, and thence along said railroad northerly to Comstock Avenue, thence along Comstock Avenue to Virginia Avenue, thence along Virginia Avenue to Webster Avenue, thence along Webster Avenue to shore of Lake Osceola, thence southerly along lake margin to north end of canal, the point of beginning, which have flush closets emptying into cess pools, shall be provided with septic tanks as approved by the Sanitary Committee.

Provided, however, that no building placed or erected within said limits shall be required to have a septic tank or cess pool which does not have sewerage from flush closets emptying into the same.

(b) No cess pool of any kind shall be placed within the town limits nearer than fifty feet to any well used for drinking purposes, and not nearer than twenty-five feet to the property line of another without having secured written consent from said adjoining property owner or owners.

(c) Any violation of the provisions of this ordinance shall be punished by a fine of not more than fifty dollars or imprisonment not more than thirty days in the town jail, or both within the discretion of the Mayor of said town.

Sec. 88. (a) It shall be unlawful for any person to expectorate upon the floor or other portions of any public building or buildings used for public assemblage, or upon any public places or sidewalks, in the corporate limits of Winter Park, provided that the prohibition hereinabove contained shall not apply to those portions of the public streets of the town commonly and ordinarily used for team and vehicle traffic.

(b) That it shall be the duty of the Chief of Police Department of the Town of Winter Park to enforce the provisions of the ordinance.

(c) That any person found guilty of a violation of this ordinance shall, on conviction thereof, be fined in any sum not less than \$1.00 and costs of court and not more than \$5.00 and costs of court for the first offense, and in any sum not less than \$5.00 and not more than \$10.00 for each and every subsequent violation of the provision of this ordinance, and on failure to pay said fine shall be committed to the calaboose for a period not exceeding 30 days.

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Sec. 89. Be it ordained by the Town Council of Winter Park, Fla.:

Duty of Attending Physician—That in case of any infectious or contagious disease within the corporate limits of the town, it shall be the duty of the attending physician immediately upon termination of such disease to thoroughly disinfect the premises upon which such disease has existed and to use such chemicals as needed, for which a nominal charge shall be made.

Contagious diseases are to be considered such as are enumerated by the State Board of Health.

Penalty—Any person who shall fail or refuse to comply with the above requirements shall be punished by a fine of not less than five dollars, nor more than \$100.00.

Sec. 90. Be it further ordained by the Town Council of the Town of Winter Park, that the Health Officer or Officers of the Town of Winter Park shall have full power and it shall be their duty to do everything that in their judgment is necessary to prevent the spreading of any and all contagious diseases. They are to be greatly governed by the instructions of the State Board of Health. Anyone disobeying the Health Officer's instructions or refusing to render assistance shall be fined in a sum of not less than ten dollars nor more than fifty dollars or by imprisonment of not less than twenty days nor more than sixty days, or by both fine and imprisonment.

Sec. 91. Be it ordained by the Town Council of the Town of Winter Park, Fla.:

(a) That it shall be the duty of any practicing physician having under his care within the incorporated limits of the Town of Winter Park any case of smallpox, diphtheria, scarlet fever, typhoid fever, or any other contagious disease in malignant form to cause to be posted on the building where said patient resides or is kept, a placard at least twelve inches square, having printed thereon in large and plain letters the word "DANGER," and also the name of the disease with which said patient is afflicted.

(b) That posting of such a placard as described in Section "a" of this ordinance shall be due notice to the public that the premises so posted are under quarantine, and said placard shall remain posted until a written statement has been procured from some reputable physician (and no person, except the physician, shall leave the premises while the place is under quarantine,) setting forth the fact that the disease had run its course and that



proper and efficient fumigation had been made of the premises, which written statement shall be handed to the Town Clerk. And it shall be unlawful for any person or persons to remove or cause to be removed such notice or placard except as herein provided.

(c) Any physician violating the provisions of Section "a" of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any amount not under \$10.00 nor over \$100. Any person found violating the provisions of Section "b" of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any amount not under \$5.00 nor over \$50.00.

Sec. 92. (a) Fresh meats, fish and oysters may be sold at such places in the Town of Winter Park as may first be approved by the Town Council. Any such place shall have a cement, stone or other non-absorbent floor and shall be properly provided with proper means to preserve the meats, fish and oysters from decay, and shall be kept in good sanitary condition, and thoroughly screened from flies.

(b) A license to sell fresh meats, fish and oysters shall be first obtained from the Town Council upon application made, stating the name of the owner of the business, the proposed location of the business and the kind of floor to be used and the means of preserving meats, fish and oysters from decay. A license of \$5.00 shall be paid for each place of business.

(c) Fish caught in the water about Winter Park, poultry dressed or raised in or about Winter Park, and beef, mutton and pork in quantities of not less than one quarter, may be sold outside of such licensed places.

(d) No fresh meats, fish or oysters shall be sold at any other places than those duly licensed, as provided in this chapter, except as permitted in the preceding section.

(e) Whoever violates any of the provisions of this Ordinance shall be fined not less than \$50.00 or imprisoned not more than twenty days.

Sec. 93. Unwholesome Provisions—It shall be unlawful for any person to offer for sale within the corporate limits of the Town of Winter Park any animal or part of any animal that may have been sick, diseased or unwholesome, which may have died from disease or accident, or any fish, vegetables, fruits or any other articles of food not fresh, sound and wholesome; and it shall be the duty of the Marshal or his deputies to report to the Mayor any vio-



lation of this section. Any person convicted of such offense shall be fined not exceeding fifty dollars or imprisoned not exceeding twenty days or both.

## ARTICLE XI

### Streets and Sidewalks

Section 94. Be it ordained by the Council of the Town of Winter Park, Florida, that it shall be the duty of the Town Council to regulate, improve, alter, extend and open parks, streets, lanes and avenues, and to cause obstructions, decayed buildings and ruins to be removed, to construct drains and sewers and to make to the parties injured thereby reasonable compensation, and to charge upon those benefited reasonable assessments as may be agreed upon by the council and the said parties; in case no agreement can be made the council shall appoint five discreet persons, holders of real estate in said town, to ascertain and fix on the one hand a fair and equitable assessment and on the other a just compensation, and the assessment shall be a lien on the real estate improved and assessed, and that every person who enters his particular drain into the main drain or common sewer and receives a benefit thereby from draining his land, shall pay to the town his proportionate part of making or repairing the same.

Sec. 95. Be it further ordained by the Council of the Town of Winter Park that all streets to be hereafter laid out shall be at least fifty feet wide, provided, however, that alleys may be established, the width of which may be regulated by the council.

Sec. 96. Be it ordained by the Council of the Town of Winter Park, Fla, that no person or persons shall obstruct the streets or alleys of the town by moving buildings or by placing any other obstructions whatsoever in said streets or alleys, without first having a permit from the Mayor of said town and furnishing such bonds as he may require to cover any damages that may occur.

Any one violating this ordinance shall be fined not more than fifty dollars or by imprisonment for not more than fifty days, or by both fine and imprisonment at the discretion of the Mayor.

Section 97. Be it ordained by the Council of the Town of Winter Park, that the Council shall from time to time, as they may deem proper, pass resolutions requiring the owners of real estate within the corporate limits of Winter Park to construct uniform and substantial sidewalks around their several lots and to keep the same in repair. The width, grade and construction of the side-

walks on each street to be regulated by the council and the inner line of sidewalks shall in all cases be the outer line of the street, such as may have been heretofore established by the surveyors in platting said Town of Winter Park.

Sec. 98. Upon the failure of any person so notified to construct said sidewalk within the time and in the manner prescribed by said resolution, the council shall have the same done and the charges and costs thereof shall be a lien against said lot, to be enforced by said town in the manner allowed by law.

Sec. 99. After the passage of this ordinance no sidewalks shall be constructed on any of the public streets within the corporate limits of said town of other material than cement, concrete, brick, or such material as may be approved by the council, nor shall such sidewalks be built of less width than four feet.

Sec. 100. Be it ordained by the Council of the Town of Winter Park, Fla.:

(a) That in the erection and placing of poles for telegraph and telephone wires in this town, such poles shall be placed within the line of the shade trees where practicable.

(b) All wires in this town shall be placed upon poles; and wires and poles shall be so placed as to avoid the destruction of shade or other trees, or other property within the town, either by going around or over such trees or property and by using properly insulated wire where the same passes through or in proximity to any such tree or property.

(c) The placing of all such wires or poles shall be subject to the approval of the Council or of its Street Committee.

(d) The company, corporation or individual erecting such poles or wires pursuant to any franchise or authority granted by this Council, shall be liable to property owners for any and all damage caused thereby, to any such owner or owners.

(e) Any violation of this ordinance or any of its provisions shall subject the offender or offenders, upon conviction, to a fine of not more than one hundred dollars or by imprisonment of not more than thirty days or by such fine and imprisonment, for each and every offense.

## ARTICLE XII.

### Peace, Good Order and Mora's

Section 101. Be it ordained by the Town Council of the Town of Winter Park that whoever shall in this town wilfully disturb the peace of others by violent, tumultuous or offensive con-



duct or carriage or by loud and unusual noise, or by unseemly, profane, obscene or offensive language or by repeating or uttering slander, scandal, malicious gossip or rumor, calculated to provoke a breach of the peace, or by assaulting, striking or fighting another, and whoever shall in the town permit any such conduct in or upon any house or premises owned or possessed by him or under his management or control, so that others in the vicinity are disturbed thereby shall, upon conviction, be fined in a sum not exceeding fifty dollars, or be imprisoned for a period of not more than twenty days at hard labor, or both.

Sec. 102. Be it further ordained that whoever shall, in this town disturb any congregation or assembly met for religious worship by making any noise or by rude and indecent behavior or profane discourse when in a place of worship, or so near to the same as to disturb the order and solemnity of the meeting shall, upon conviction, be fined in a sum of not exceeding fifty dollars, or be imprisoned for a period of not greater than twenty days at hard labor, or both, at the discretion of the Mayor.

Sec. 103. Be it further ordained that whoever shall in this town be found in a state of intoxication in any highway, thoroughfare or public place shall, upon conviction, be fined not less than five nor more than fifty dollars, or be imprisoned not less than ten nor more than twenty days at hard labor under the direction of the council, or both fine and imprisonment.

Sec. 104. Be it further ordained that whoever shall in any public place in this town be found in a state of nudity, or in a dress not belonging to his or her sex, or in an indecent exposure of his or her person, or be guilty of any indecent or lewd behavior, or shall exhibit, sell or offer to sell any indecent or lewd book, picture or other thing, or shall exhibit or perform any indecent, immoral or lewd play or other representation shall, upon conviction of any of said offenses, be fined in a sum of not less than five nor more than fifty dollars or be imprisoned at hard labor, under the direction of the council, for not more than twenty days.

Sec. 105. Be it further ordained that whoever shall bathe, wash or swim in any lake, pond or pool in this town within the hours of daylight, being naked or insufficiently clothed to prevent improper exposure of his or her person, shall, upon conviction, be fined not less than five nor more than fifty dollars, or be imprisoned at hard labor for not more than twenty days.



(b) Whoever shall fail to repair, or have repaired, any connection or branch pipe, stopcock, or hydrant upon his or her premises, or upon the premises of which said person is a tenant, that shall have become leaky and out of repair, within forty-eight hours after notice has been given upon such person by an officer or agent of the town, shall upon conviction thereof be punished by a fine not exceeding fifty dollars, or by imprisonment of not more than thirty days, or both, at the discretion of the Mayor.

Sec. 122. Be it further ordained that any person or persons who shall hitch his, her or their horse or horses, mule or mules, or other animal or animals, to any shade tree, awning post, veranda post, lamp post or any fence shall, upon conviction, be fined in a sum not less than one or more than twenty dollars.

Sec. 123. Whoever shall cut down, tear up, cut, bruise or otherwise injure any shade tree within the corporate limits of the town, shall be punished by fine of not more than twenty-five dollars or by imprisonment not more than ten days or both.

Sec. 124. No horse, mule, ass or other animal shall be hitched, ridden or allowed to stand on any of the sidewalks of the town, and any person violating the provisions of this section shall be punished by fine not exceeding five dollars or imprisoned not more than five days.

Sec. 125. Be it ordained by the Town Council of the Town of Winter Park that any person driving any horse, team, cattle, wagon, buggy or other vehicle across any sidewalk within the town limits shall be liable to a fine of five dollars for each offense.

Sec. 126. Any person, except railroad employes and passengers on departing trains, found jumping on or off trains while in motion shall be fined not more than five dollars or imprisoned not more than five days.

Sec. 127. Rogues and vagabonds, idle and dissolute persons who go about begging, persons who play at swindling games, common nightwalkers, scandal mongers, common scolds, trouble makers, pilferers and lewd, wanton and lascivious persons in speech and behavior shall be punished by fine not exceeding twenty-five dollars or imprisonment not exceeding ten days, or both.

Sec. 128. Be it further ordained that any person or persons who shall stand or gather upon any sidewalk in the Town of Winter Park, in such a manner as to obstruct the passage of persons along such sidewalk shall, upon conviction, be fined in the sum of five dollars or be imprisoned in the calaboose for five days at hard labor.

## 40      REVISED ORDINANCES OF WINTER PARK, FLA.

Sec. 129. Be it further ordained that any person or persons who shall within the corporate limits of the Town of Winter Park play at any keno or pool table, wheel of fortune or any other game of chance for money or other valuable things shall, upon conviction thereof, be fined in a sum of not more than fifty dollars or be imprisoned in calaboose at hard labor for not more than twenty days or by both such fine and imprisonment.

Sec. 130. Be it further ordained that any person other than the owner or agent of the owner, who shall be caught sleeping in any unfinished building, privy or other out house in the Town of Winter Park without having first obtained the consent of the owner of such unfinished building, out house or privy shall, upon conviction, be fined in a sum not exceeding ten dollars or by imprisonment at hard labor not exceeding ten days.

Sec. 131. It shall be unlawful for any person to permit the accumulation of trash, filth, rubbish, any excessive growth of weeds and other noxious plants, or any offensive substance whatsoever to remain on his or her enclosed or unenclosed lot or yard, which may cause disease or affect the health of the town. Should any person violate this ordinance he or she shall be notified by the Mayor or Marshal to remove from said lot or yard within twenty-four hours all such offensive substances and upon failure so to do he or she shall be punished by fine of not more than fifty dollars or imprisoned not more than ten days or both. Whoever shall fail or refuse to obey any sanitary ordinance of the town shall be punished by a fine not exceeding fifty dollars or by imprisonment not exceeding ten days or both.

Sec. 132. Whoever refuses or neglects to render the Marshal or Deputy Marshals all assistance in the execution of their duty when called on, not being physically incapacitated, shall be punished by fine not exceeding fifty dollars, or by imprisonment not exceeding ten days or both.

Sec. 133. Whoever is concerned in causing or making a bon-fire within ten rods of any house or building shall be punished by fine not exceeding ten dollars, or by imprisonment not exceeding ten days.

Sec. 134. Be it further ordained that no person shall keep open any barber shop in the Town of Winter Park during the Sabbath day. Any person or persons violating this ordinance shall be fined in a sum not less than five dollars nor more than twenty-five dollars or be imprisoned not less than five nor more than twenty days at hard labor at the discretion of the court.



tion, be fined not more than \$50.00. or imprisoned not more than 30 days or both.

Sec. 143. Be it ordained by the Town Council of the Town of Winter Park that any person other than the owner or except he shall have permission from the owner, who shall be found guilty of untying or loosing any boat of any kind whatsoever, or of breaking or tampering with the lock, chain or rope with which it is hitched to any wharf or landing within the corporate limits of the town, or whoever shall break, destroy or tamper with either the oars, oarlocks, seats, cushions or anything belonging to the boat or contained therein or shall fail to return to its owner at his dock any leased or rented boat shall be fined in a sum not to exceed twenty-five dollars for each offense.

Sec. 144. Be it further ordained that any person other than the owner, or except he shall have permission of the owner, who shall be found guilty of untying or loosing a horse or horses, mule or mules, or any sort of domestic animal or of breaking or tampering with the chain, rope or halter with which said animal or animals may be tied, or who shall be found guilty of meddling or tampering with any part of a vehicle or with any of the contents of said vehicle, shall be fined in a sum not to exceed twenty-five dollars for each offense.

Sec. 145. (a) It shall be unlawful to ride a bicycle or tricycle between sunset and sunrise within the city limits on any street, avenue or sidewalk, without a lighted lamp conspicuously displayed, except on moonlight nights.

(b) It shall be unlawful to ride a bicycle or tricycle within the city limits without a bell or gong attached thereto, which shall be sounded to warn persons, who otherwise might be endangered, when meeting or passing them, and sounded on turning the corner of streets.

(c) It shall be unlawful to ride a bicycle or tricycle within the city limits at a rate of speed exceeding eight miles per hour or five if riding on a sidewalk.

(d) It shall be unlawful for any person to ride or tamper with a bicycle without consent of the owner.

(e) It shall be unlawful for any person or persons to place tacks, bottles, broken glass or any substance that may injure a bicycle tire, on any road.

(f) It shall be unlawful to ride a bicycle, tricycle or other vehicle on any sidewalk within the corporate limits of the town



of Winter Park, when street is hard surfaced along said walk. Penalty for violation of any section of this ordinance shall be a fine of not more than \$50.00 or 30 days imprisonment or both.

Sec. 146. That all gates opening on any street or alley in this town, which may be constructed and hung from and after the passage of this ordinance, shall be hung so as to swing inward and not outward over any part of the street or sidewalk.

Sec. 147. Any violation of the foregoing section shall subject the offender, whether the owner, agent or occupant of the property, to a fine not more than ten dollars and not less than one dollar, and for every day's continuance to keep and maintain a gate in violation of this ordinance after the offender has been once complained of and fined shall be regarded as an additional violation of this ordinance.

Sec. 148. A physician who has attended a person during his last illness, shall, after the decease of such person, forthwith furnish the Town Clerk, for registration, a certificate of the duration of the last sickness; the disease of which the person died, and the date of the decease as nearly as he can state the same. If a physician refuses or neglects to make such certificate he shall, upon conviction be fined not exceeding fifty dollars.

Sec. 149. Every sexton, undertaker or superintendent of burials having charge of the funeral rites preliminary to the interment of the human body shall obtain and return to the Town Clerk for record the following facts concerning the deceased: The date of death; the name of the deceased; the sex; the color; the condition, whether single, widowed or married; the age; the residence; how long a resident of the town; the occupation; the place of death; the place of birth; the disease or cause of death; the place of burial and date of record. Any such person refusing or failing to make such return, shall, upon conviction, be fined not exceeding fifty dollars.

Sec. 150. No human body shall be buried or removed from the town until a proper certificate has been given by the Town Clerk to the undertaker, sexton or other person performing the burial or removal of the body.

Sec. 151. Such certificate shall state that the facts required by Section 149 have been returned and recorded, and the clerk shall not give such certificate of burial permit until the certificate of the cause of death has been obtained from the physician, if any in attendance at the last sickness of the deceased, and placed in the hands of said Town Clerk.

**ARTICLE XIII.****Tax Collector**

Section 152. Be it ordained by the council of the Town of Winter Park that it shall be the duty of the Tax Collector to collect all taxes levied and assessed upon the real estate and personal property by the said Town of Winter Park, as well as other taxes assessed under the general revenue act. That it shall be the duty of the said Tax Collector to make a written statement sworn to, to the Town Treasurer on the first Monday in each and every month, showing amount of money coming into his hands the month previous and from what sources the same came, and he shall pay over all public funds to the Town Treasurer as often as once a week, taking his receipt therefor.

Sec. 153. Be it further ordained that the Tax Collector shall receive such fees as shall be agreed upon by the council.

Sec. 154. Be it further ordained that the Tax Collector shall not leave the limits of the corporation for the space of more than one week without leaving an authorized deputy.

Sec. 155. Be it further ordained that the Tax Collector shall give bond with two or more sufficient sureties to be approved by the council in such sum as the council shall determine by resolution annually, conditioned upon his accounting for and paying over to the Town Treasurer all moneys that come into his hands as said Tax Collector and for the faithful performance of his duties as Tax Collector.

**ARTICLE XIV.****Revenue**

In any and all cases where portions of this article may be in conflict with any of the provisions of Chapter 6796 (No. 376) of the acts of 1913, second edition, of the Laws of the State of Florida, said state law shall govern and such conflicting portions of these Revised Ordinances are null and void and of no effect in so far as such conflicting portions are concerned.

Section 156. Be it ordained by the council of the Town of Winter Park that no person shall engage in or manage any business, profession or occupation for which a state license is required or that the laws of the state of Florida allow to be imposed within the Town of Winter Park, unless a town license shall have been procured from the Tax Collector, which license shall be issued to each person on the receipt of the amount which the town is allowed to receive by the laws of the state of Florida, together



with the Town Clerk's fee of twenty-five cents for each license, and shall be signed by the Tax Collector and the Town Clerk.

Sec. 157. All property, real and personal, in this town not expressly exempted by laws of the state, shall be subject to taxation in the manner provided by ordinance.

Sec. 158. Be it ordained by the Town Council of the Town of Winter Park, Fla., that all persons carrying on any business upon which state and county license is required, shall also be required to pay as a town license on such business or occupation an amount equal to one half of the total state and county tax upon any such business. Such license shall be issued by the Town Clerk upon receipt of the tax and shall be good for one year from date.

Any person who shall fail to pay such license as above specified within thirty days after the same shall become due shall be liable for double the amount, and if then not paid shall be prohibited from doing business inside the corporate limits of the town.

Sec. 159. Between the first day of January and the fifteenth day of May in each year the Assessor shall ascertain by diligent inquiry all taxable property, real and personal, within the limits of the town and the owner thereof, on the first day of January, and shall make out duplicate assessment rolls of all such taxable property. The assessment of personal property shall be made separate from the assessment of the real estate. The assessment rolls shall be prepared in conformity with the law governing state and county assessments so far as the same may apply.

The council shall have full power to equalize the assessment of the property in the town and for that purpose may raise or lower the value fixed by the Assessor, keeping within the valuation prescribed by the law of the state.

Sec. 160. The Assessor shall complete the assessment rolls of the town on or before the fifteenth day of May in every year; and at the June meeting of council such Assessor shall meet with the town council at the council chamber for the purpose of reviewing and equalizing the assessment, and they may continue in session for that purpose for two days and longer if necessary. Should the council increase the value fixed by the Assessor of any property, due notice thereof shall be given the owner or agent of such property, if a resident and known, at least fifteen days before the day on which the council will be in session, to hear any reasons as such person may desire to give why the valuation fixed by the council should be reduced.

The council shall meet on the first Monday in July of each



year for the purpose of hearing complaints from the owners or agents of any property the value of which shall have been raised by them, and for that purpose the council may continue in session as long as may be necessary.

Sec. 161. On the first Monday of July in each year the council shall meet to determine the amount to be raised by taxation for municipal purposes, and shall fix and determine the rate of taxation for the current year.

Sec. 162. It shall be the duty of the Assessor, immediately after the assessment of the town has been reviewed and equalized by the council and the amount to be raised for municipal purposes determined, to calculate and carry out the several amounts of such taxes in separate columns prepared for that purpose in the assessment roll, setting opposite the aggregate sum set down as the valuation of real and personal estate, the respective sums assessed as taxes thereon in dollars and cents and add up the columns of valuations and amounts of taxes, and make therein such recapitulatory tables as may be necessary to determine the important facts in relation to the assessment. And the said Assessor shall make a copy of said assessment roll when thus completed and shall annex to the original and the copy the affidavit of the revised statutes of the state of Florida, which copy with the original he shall submit to the Town Council at a meeting to be held before the first Monday of August of each year, at which meeting the council shall examine and compare such original and copy, and cause the Assessor, who shall attend such meeting, to correct all mistakes and inaccuracies in descriptions or of other character, and after such rolls shall have been examined and corrected the council shall endorse on them a certificate that they have so examined them and that they are correct, which certificate shall be signed by at least three members of the council. And the Assessor shall then issue and annex to one of said rolls the warrant as hereinafter provided and a copy of said warrant shall be recorded in the minutes of the council.

Sec. 163. To the assessment roll delivered to the Tax Collector a warrant under the hand of the Assessor shall be annexed in the following form, to-wit:

State of Florida,

County of Orange,

Town of Winter Park.

To ....., Tax Collector of the Town of Winter Park, Florida: You are hereby commanded to collect out of the

real and personal property and from each of the persons and corporations named in the annexed roll, the taxes set down in each roll opposite each name, corporation or parcel of land therein described. And in case the taxes, so imposed, are not paid at the time prescribed by law you are to collect the same by levy and sale of the goods and chattels, lands and tenements so assessed, or of the person or corporation so taxed. All sums collected you are to pay to the Town Treasurer at such times as may be required by ordinance, and you are further required to make all collections on or before the first day of January, and you will make final settlement to the Town Clerk and Council on or before the tenth day of January.

Given under my hand and seal this the ..... day of .....,  
A. D., 191...

.....  
Assessor of Taxes, Town of Winter Park, Florida.

Sec. 164. The Tax Collector of the town, on receipt of the roll for the current year with the warrant annexed, shall proceed to collect the taxes charged in each list, and for that purpose shall be required to give at least ten days' notice of the time, when and place where he may be found and the time when taxes are due. Said notice shall be given by advertisement in a newspaper published in the town for two consecutive weeks or by posting in three of the most public places in said town.

All taxes shall be due and payable after the first day in August of each and every year, and the Collector is hereby vested with the power and it shall be his duty to collect by levy and sale of the goods and chattels, lands and tenements so assessed, all taxes that may remain unpaid on the first day in January.

Sec. 165. It shall be the duty of the Collector to proceed substantially in the same manner in the collection of taxes and the sale of real and personal property for non-payment of taxes, as by law provided for State Tax Collectors, and for taxes due by any railroad or telegraph company he may levy upon and sell any property within the corporate limits of the town belonging to such company other than land, railroad track or telegraph line.

Sec. 166. If the taxes upon any real estate shall not be paid before the first day of January of any year the Collector shall advertise and sell in the manner following: He shall make out a statement of all such real estate, specifying the amount due on each parcel, together with the cost of advertising and expense of sale, in the same order in which the land was assessed, and such



list shall be published for four successive weeks in some newspaper published in the town; if there be no such newspaper published in the town, then by posting in three public places in the town. The charges for same, whether published in newspaper or posted, shall be twenty cents per line for the four times. A copy of the advertisement or posted notice shall be recorded in the County Clerk's office within ten days after said sale. All such sales shall commence on the regular sale day prescribed by law and may be continued from day to day.

The publisher of any newspaper publishing such notice shall forward a copy of each number of his paper containing such notice to the Tax Collector and shall make an affidavit, setting forth a copy of such notice, with date of and number of insertions, sworn to and subscribed before some officer authorized to administer oaths, or if posted the same shall be witnessed by two reliable persons from whom an affidavit shall be taken in same form, and said affidavit shall be recorded in the office of County Clerk with the advertisement of sale, and after recording shall be returned to the Collector.

Sec. 167. On the day designated in the notice of sale at 12 o'clock, noon, the Tax Collector shall commence the sale of those lands on which taxes have not been paid as aforesaid, and shall continue the same from day to day until so much of each parcel thereof shall be sold as shall be sufficient to pay the taxes, cost and charges thereon; and in case there are no bidders, the whole tract shall be bid off by the Collector for the town; but the Collector must offer all of said land as assessed. The Tax Collector shall require immediate payment by any person to whom any parcel of such land may be struck off. The Tax Collector shall give to the purchaser a certificate of such sale, describing the lands purchased and the amount paid therefor. Any such certificate shall not be transferred or assigned by the person to whom the same is issued until two years from its date, when it can be assigned by the party to whom it was originally issued or in case of his death by his legal representative.

Sec. 168. Immediately after any tax sale the Tax Collector shall make out a list in triplicate of all the lands sold for taxes, showing date of sales, number of each certificate, name of the owner as returned, a description of the land sold, the name of the purchaser and the amount for which sale was made, and the Collector shall append to each of said lists a certificate, setting forth the fact that such sale was made in accordance with law. One of



such lists shall be retained by the Collector and one recorded in the office of the County Clerk; the other, together with the certificates, shall be delivered to the Town Clerk, who shall enter said list in a book, kept for that purpose, in the form in which said lands are assessed.

Sec. 169. List to be Posted.—It shall be the duty of the Town Clerk, within one year after which such certificates have been delivered to him, to have made out and posted at the door of the council chamber in the town a list of all the lands which have been certified to the town by the Tax Collector, eliminating from said list all lands redeemed or not subject to taxation.

Sec. 170. Redemption of Lands.—Any person, agent, creditor or other person having an interest therein, claiming any of the lands or part thereof so certified, at any time within two years after the closing of the tax books by the Collector as therein provided, may redeem said lands or any part thereof by making affidavit that he or she is the owner or agent, creditor or other person having an interest therein and paying to the Clerk the amount of taxes due upon said land at the time of its certification and interest at twenty-five per cent. per annum up to the date of its redemption, and all subsequent taxes and fees as hereafter provided. It shall be the duty of the Clerk upon the receipt of said taxes, interest and fees, to at once cancel the certificate, or such portion thereof as the part or interest redeemed shall amount to and shall deliver said certificate to the party so redeeming, if the entire land represented therein shall have been redeemed; or a redemption certificate under his hand and official seal showing what portions or interest of such lands have been redeemed, noting same on back of said original certificate and note the fact of such redemption upon the record in his office.

Sec. 171. Redemption Fees.—When any lands are redeemed under the provision of above section the Clerk shall charge and receive the following fees: For taking affidavit 20 cents; redemption fee 50 cents, and in case said redemption occurs after the posting of the list, a further fee of one dollar shall be charged to cover expense of clerical work and posting.

## ARTICLE XV

## Voters and Registration.

Section 172. Be it ordained by the Council of the Town of Winter Park that no person shall be entitled to vote at any annual or special election ordered by the town council of the Town of Winter Park, unless such person shall be a male who has attained the age of twenty-one years, shall be a citizen of the United States or shall have duly declared his intention to become such, shall have resided in this state one year and in this town six months immediately preceding said election, and shall have been duly registered with the Town Clerk of said town at least ten days prior to said election and otherwise complied with the laws of the State of Florida.

Sec. 173. No person under guardianship, non compos mentis, or insane, or convicted of a felony and not restored to civil rights shall be qualified to vote at any such election.

Sec. 174. Be it further ordained that at any special election all persons who shall have registered for the annual election, or who shall have registered at least ten days preceding such election with the Town Clerk shall be entitled to vote.

Sec. 175. Provided, that no person shall be qualified to vote upon the question of bonding the town or borrowing money unless in addition to the above qualifications he owns real estate within the town limits and has paid his taxes due thereon for the year preceding the election.

Sec. 176. Be it further ordained by the council of the Town of Winter Park that the Town Clerk of said town shall be ex-officio supervisor of registration of said town.

Sec. 177. Be it further ordained that the Clerk shall keep the registration book open at least two days in each week and oftener if the council shall so order, from 10 o'clock a. m. to 12 o'clock noon, from thirty days before until ten days prior to election, at which time the books shall be closed. And no person shall be allowed to register at any other time during the period above mentioned. In case of special elections the registration book shall be opened twenty days preceding time for such election and be kept open two days per week and at such hours as provided for general elections, and shall close ten days before said election.

Sec. 178. Be it further ordained that the Clerk shall open the registration book at least thirty days before any annual election, and at least twenty days before any special election, and shall keep the same open until ten days previous to such election.

Sec. 179. Be it further ordained that on closing the registration book, within two days the Town Council of the Town of Winter Park shall meet and revise the registration list, striking off all names that have from any cause become ineligible. That they shall publish a list of such names thus stricken off by posting in three public places, and that any person thus stricken off shall be replaced upon the registration list by furnishing proper proof to the said Town Council of the Town of Winter Park, at least three days before the next ensuing election, that his name has been wrongfully stricken off.



# FRANCHISES.

## ARTICLE I.

An ordinance granting Mr. F. B. Knowles the privilege of maintaining and operating certain lines of street railway.

Section 1. Be it ordained by the Town Council of the Town of Winter Park, Florida, that Francis B. Knowles, his heirs and assigns, shall forever have the exclusive right to construct, maintain and operate a line of street railway through and over the following named streets, parks, and public property, to-wit: Beginning at the present station of the South Florida railroad, thence diagonally through the south-east portion of the public park surrounding the said depot to a point in the extreme south-east corner of said park at the intersection of East Park and New England avenues; thence in a southeasterly direction across said East Park avenue to the center of said New England avenue; thence east in the center of said New England avenue, crossing the remainder of East Park avenue, and crossing Interlachen and Chase avenues to a point at the entrance of the grounds of Hotel Seminole; thence in a southeasterly direction to Osceola avenue and along the north side of said avenue, far enough to give free access to the rear of Hotel Seminole.

Sec. 2. Be it further ordained by the Council of the Town of Winter Park, Florida, that Francis B. Knowles, his heirs and assigns shall forever have the exclusive right to construct, maintain and operate a line of street railroad through and over the following named streets, parks and public property to-wit: Beginning at a point on the southwest side of the present grounds of said Hotel Seminole, thence in a southeasterly direction across Osceola avenue through a small park, across Chase avenue and through the center of Ollie avenue to the depot of the Orlando and Winter Park railway at the termination of said Ollie avenue.

The intention of this entire ordinance being to secure to said Knowles, his heirs and assigns the exclusive and perpetual right to maintain and operate the lines of street railroad at present owned and operated by the Winter Park Company, and in case of dispute as to the intention of this ordinance, reference is hereby made to the lines as existing at this date, as shown on plat duly filed with the Clerk of said council.

Sec. 3. Be it further ordained that the said Francis B. Knowles, his heirs and assigns, shall forever keep the said lines of street railroad in high condition of repair; that he shall keep all

crossings and intersections of streets in an easily passable condition across said lines of street railroad, and at no place along said line shall the street or streets be obstructed so as to forbid the free and easy passage of teams and foot passengers along or across said lines, and should such obstructions be allowed to exist by the said Knowles, his heirs and assigns longer than, in the opinion of the council of the Town of Winter Park, they are necessary the said Knowles, his heirs and assigns shall be notified by the said town council, and if not removed and repaired within ten days after such notice is given, the said Knowles, his heirs and assigns to forfeit and pay to the school fund of the said Town of Winter Park the sum of twenty-five dollars per day or fraction of a day that said obstructions are allowed to exist by said Knowles, his heirs and assigns.

Sec. 4. Be it further ordained that the said Knowles, his heirs and assigns shall, whenever ordered so to do by said Town Council, proceed to put the present track on a level with the street to conform to such a grade as the council may establish, under the same conditions as are provided in Section 3 this ordinance.

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An Ordinance Authorizing the Southern Bell Telephone and Telegraph Company to Use the Public Streets of the Town of Winter Park, Fla., for the Purpose of Placing Poles and Electrical Conductors Thereon.

## ARTICLE II.

Section 1. Be it ordained by the General Council of the Town of Winter Park, Fla., that permission be and the same is hereby granted to the Southern Bell Telephone and Telegraph Company, its successors and assigns, to erect, operate and maintain lines of telephone and telegraph, including the necessary poles, fixtures and electrical conductors, upon, along and over the public roads, streets and highways of the Town of Winter Park, Fla., as its business may from time to time require, provided that all poles shall be neat and symmetrical.

Sec. 2. That the work of erecting poles by virtue of this ordinance shall be done under the supervision of the Street Committee, and the said Southern Bell Telephone and Telegraph Company shall replace and properly relay any sidewalk or street that may be displaced by reason of the erection of such poles, and upon failure of the company so to do, after ten days' notice in writing shall have been given by the Mayor of the Town of Winter Park, Fla., to said company, the Town may repair such portion of the



sidewalk or street that may have been disturbed by said company, and collect the cost so incurred from said company.

Sec. 3. In consideration of the rights and privileges herein granted, said company shall, upon demand, provide one cross arm on each pole on which the Town of Winter Park, Fla., may desire to attach either fire alarm telegraph or police telegraph wires, for the free use of the police and fire alarm telegraph system of the Town of Winter Park, Fla.

Sec. 4. Said company shall at all times be subject to the Town ordinances now in existence or which may be hereafter passed relative to the use of the public streets by telephone and telegraph companies. Said company shall charge the regular uniform rate for all services.

Sec. 5. Said company shall indemnify the Town of Winter Park, Fla., against, and assume all liabilities for damages which may arise or accrue to the Town of Winter Park from any injury to persons or property from the doing of any work herein authorized, or the neglect of said company or any of its employees to comply with any ordinance relative to the use of the streets of the said Town, and the acceptance by the company of this ordinance shall be an agreement by said company to pay to the Town of Winter Park any sum of money for which the Town may become liable from or by reason of such injury.

Sec. 6. Said company shall file with the Clerk of the Council of the Town of Winter Park its acceptance of this ordinance within sixty days from the date when it shall take effect. Said line to be in operation within six months from date of acceptance.

Sec. 7. This ordinance shall be in force and effect for a term of fifteen (15) years from the date when it shall take effect, and it shall be subject to all the terms and conditions of the Act of the Legislature of Florida, entitled "An Act to Prohibit the Granting by Municipalities of Franchises, or Rights, to use the Streets for certain purposes for any term exceeding thirty (30) years, or without reserving the right at and after the expiration of such term to purchase the property used under said Franchise or Right," and approved June 2d, 1899.

#### ARTICLE III.

Winter Park, Fla., Dec. 2d, 1912.

Petition to Town of Winter Park:

We, B. A. Galloway and C. H. Galloway (partnership) hereby respectfully petition your Honorable Board for a telephone franchise in the Town of Winter Park, said franchise to convey unto us the following rights and privileges:



Section 1. That authority be given, granted and conveyed unto B. A. Galloway and C. H. Galloway, hereinafter to be called Winter Park Telephone Exchange, their successors and assigns, the right, franchise and privilege to build, construct, maintain, operate and conduct a telephone exchange with the necessary appliances thereto. To set poles along and string wires over and above the streets and avenues and alleyways of the Town of Winter Park.

Sec. 2. That said franchise and all its rights and privileges shall terminate at the expiration of fifteen (15) years from date of the approval of said franchise. The grantee herein named shall give and grant to the Town of Winter Park the right and after the expiration of said term, to purchase the telephone exchange, its equipment and appliances or other property used under or in connection with the said franchise or right, or such part of such property as the Town of Winter Park may desire to purchase at a value of the property, real or personal, desired, which valuation shall be fixed by arbitration as may be provided by law.

Sec. 3. The said grantee herein named, their successors or assigns, shall begin work at once and put into operation their telephone system within sixty days from the date of the approval of said franchise, and the failure to put into operation said telephone system shall constitute a breach of this agreement and shall work the forfeiture of this franchise. In case of forfeiture, this franchise and all rights herein granted shall cease and terminate.

Sec. 4. The construction of said telephone lines, setting poles and stringing wires shall be done under the supervision of the Street Committee appointed by the Town Council of the Town of Winter Park.

Sec. 5. It is also agreed that the following scale of rates shall be charged telephone subscribers as rental, to-wit: Based on a five-cent toll into Orlando and free toll into Maitland to subscribers only:

Private lines: Residence, \$2.00; business, \$2.50 per month.

Party lines: Residence, \$1.50; business, \$2.00 per month.

Above rates shall continue in effect until said Telephone Company shall have one hundred subscribers actually in service, when they shall be permitted to raise their rates according to the increased number of subscribers.

Sec. 6. All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

Sec. 7. This franchise is granted subject to ordinance now in force regulating telephone and telegraph systems.

## **LAWS OF FLORIDA.**

### **CHAPTER 6114—(No. 245.)**

Acts of 1909.

An Act Enabling the Town of Winter Park to Impound Stock of All Kinds.

Be it Enacted by the Legislature of the State of Florida:

Section 1. That the Town of Winter Park shall have the same authority and right to impound stock of all kinds found running at large in said town the same as Cities and Towns having twelve hundred inhabitants, as provided in Section 1105 of the General Statutes of 1906.

Sec. 2. That this act take effect and be in force from and after its passage and approval by the Governor.

Approved May 17, 1909.

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### **CHAPTER 6116—(No. 246.)**

Acts of 1909.

An Act to Provide for the Levying of a Road or Street Tax by the Town of Winter Park, in Orange County:

Be it Enacted by the Legislature of the State of Florida:

Section 1. That the Town of Winter Park, in Orange County, shall have power to levy and collect a special tax annually for street and road purposes upon all property subject to taxation within its corporate limits; but it shall require a two-thirds vote of all the members elected to the Town Council to levy said tax, and thirty days' notice of the intention to levy said tax shall be given by its Town Council by written notice posted in three public places in said town, or by publication in some newspaper published in said town once during each calendar week for four consecutive weeks of said intention; Provided, That said tax shall not exceed five mills on the assessed valuation of the property within said corporation.

Sec. 2. This act shall take effect immediately upon becoming a law.

Approved June 1, 1909.

### **CHAPTER 6796—(No. 376.)**

Acts of 1913, 2d edition.

An Act to Provide for the Assessment and Collection of the Taxes for the Town of Winter Park, and for the Collection of the Back Taxes and Tax Sale Certificates of Said Town.

Be it Enacted by the Legislature of the State of Florida:

**License Tax.** Section 1. That all property, real and personal, within the Town of Winter Park taxable for State purposes shall be taxable by the Town for municipal purposes.

The Town Council is hereby authorized to levy and impose license taxes for municipal purposes by ordinance, upon any business, profession, occupation and privilege engaged in or enjoyed within the Town, and to grade and fix the amounts thereof without regard to any of the provisions of any general revenue law now in force, or hereafter to be enacted which does not specifically repeal this act.

**Penalty.** Sec. 2. Town licenses shall issue, be transferred and expire as may be provided by ordinance, and penalties within the limits of the general law relating to cities and towns may be inflicted for carrying on any business, profession or occupation for which a town license is required, without first obtaining such license. A license tax on dogs kept within the town may be imposed, and dogs on which the required license tax shall not be paid may be killed under such circumstances as the ordinance may provide.

Sec. 3. All property shall be assessed as of the first day of January in the year for which the assessment is made, and shall be assessed at its full cash value.

Sec. 4. The Town Tax Assessor between the first day of January and the fifteenth day of May, in each year, except the year 1913, for which the fifteenth day of July shall be substituted for the fifteenth day of May, shall ascertain to the best of his ability all the taxable property within the town and the respective values, and, as far as practicable, the owners thereof, and shall list the same on an assessment roll. All persons, corporations and firms owning real or personal property taxable by the town are hereby required to make return of the same to the Assessor before the first day of March in each year, except in the year 1913, when the returns shall be made before the first day



of June. The returns shall be made, if the Town so require, by ordinance, on blanks prepared and furnished, on application, by the town, and shall contain a complete list and description of all the taxable property belonging to such person, corporation or firm on the first day of January in the year for which the return is made, together with the full cash value of each item thereof, including the full cash value of each piece of real estate. The Assessor may consider the descriptions and valuations thus returned, but shall not be bound by them in making the assessment. In any case where a return shall not be made, the Assessor shall assess the property in the name of the owner or reputed owner, or as belonging to an unknown owner, and in no case shall any assessment be declared invalid or not lawfully made, nor shall the enforced payment of the taxes levied thereon be resisted, by reason of the property having been assessed otherwise than in the name of the owner. Real estate may be designated by lots and blocks, if so platted, or by section, township and range, or in parts or fractions of either, or by metes and bounds, or courses and distances, but no assessment shall be held invalid for want of sufficient description if the description is such that the real estate can be located thereby. Continuous lots or tracts belonging to the same owner may be assessed together in the discretion of the Assessor.

The assessment of personal property shall be separate from that of the real estate, and the words "Personal Property" shall in each case be a sufficient description of personal property for the purposes of the town taxation, and personal property assessed need not be otherwise specified or designated on the assessment roll. The apportionment of mileage and property of railroad companies and telegraph companies to the Town of Winter Park shall be ascertained as provided in the general revenue laws of the State. Bank stock shall be assessed in the manner provided for collection or assessment of the State taxes on bank stock.

Assess  
Property  
Omitted  
Through  
Error.

Sec. 5. If the Assessor shall discover that any real estate was omitted from the assessment roll of any or all of the three preceding years or that the taxes on any real estate for any or all of such years have been declared invalid, he shall assess the same for such years or year for which such real estate escaped taxation, making the assessment on the roll for the current year and giving the year for which such assessment is made, and such assessment shall have all the force and effect that it could have had if made in such previous years or year, and the taxes thereon shall be levied and collected in like manner as the taxes for the current year.

Council  
Equalize  
Assessment.

Sec. 6. The Assessor shall complete the assessment roll on or before the fifteenth day of May in each year, except in the year 1913, for which the fifteenth day of July shall be substituted for the fifteenth day of May, or as soon thereafter as practicable, and shall submit it to the Town Council at its first regular meeting in June, or in the year 1913 at its first regular meeting in August, or as soon thereafter as practicable, at either a regular or a special meeting, for the purpose of reviewing, correcting and equalizing said assessment, and of hearing and determining petitions relating thereto; which meeting may be continued from day to day or by adjournment to other specified day or days so long as may be necessary for the complete equalization and correction of the assessment roll.\* If for any reason a quorum of the council should not attend such meeting or any of its adjournments, the Town Clerk shall proclaim such meeting adjourned unto some other hour of the same day or to another day not more than five days distant, and shall enter the fact of the adjournment on the minute book of the council. The Town Clerk shall thus adjourn the meeting as often as may be necessary until a quorum shall appear.

The President of the Council or the Town Clerk, by posting in two public places in the town shall give at least ten days previous notice of

the day, hour and place of the meeting for equalization and correction, and call upon all persons to file with the Town Clerk before such meeting their written petitions to the Town Council, setting forth any objections they may have to the assessment roll and the corrections they desire made; and during the time of the running of the notice the public shall have access to the assessment roll at the town hall each day, Sundays and legal holidays excepted, from ten o'clock in the morning to 12 o'clock noon, for the purpose of examining the same and of preparing their petition, but any failure to get such access during all the prescribed hours shall not invalidate the proceedings if there shall be on each day a substantial opportunity to have access to the assessment roll aforesaid between the hours limited for that purpose in this section. The council shall have power to ordain that all such petitions shall be made on blank forms prepared by the town and furnished by it on application and to make all reasonable rules and regulations in reference to the said petitions.

The Town Clerk shall deliver all the petitions filed within the prescribed time to the council at such meeting, and the council shall give opportunity to the petitioners to be heard in person or by attorney in open session, by written or oral argument, or both, and on such evidence as they may present to sustain their petitions, but the council may, by resolution, regulate the order of hearing and limit the time to be given to each petitioner. The council shall make such changes and corrections in the assessment roll as may be necessary for a proper assessment and for the just and legal equalization thereof.

Sec. 7. If it shall seem to the council that any valuation on the assessment roll should be increased, or that any other correction of the said roll should be made, except by reduction of valuation or in accordance with a petition presented as aforesaid, the council shall give the owner of the property affected, if known, notice of proposed increase or cor-

Notice to  
Owners.



rection at least ten days previous to a regular or a special meeting at which he may be heard. Such notice shall be by posting the same in at least two public places in said town for at least ten days prior to such regular or special meeting, and shall contain the name of the owner, if known, a brief description of the property and the proposed action of council as to increase of valuation or correction, and shall name the time when a hearing can be had before the council. If the owner is unknown the owner shall be given in the notice as "Unknown Owner" or simply as "Unknown." The council may direct either by resolution or by ordinance that notice be also sent through the mail or delivered personally to the owner or his agent or attorney, but it shall rest in the discretion of the council so to direct. All of the provisions of Section 6 relating to the continuance and the adjournments of the meeting and the regulation of the hearing shall apply to the meeting and the hearing provided for in this section. Final action on the proposed increase of valuation and corrections shall be taken at such meeting or some adjournment thereof, and as soon as practicable all changes made by the council shall be entered by the Assessor on the assessment roll.

**Rate of  
Taxation.**

Sec. 8. As soon as practicable after the review and equalization of the assessment roll, the council shall ascertain and determine the amount and fix the rate of taxation and make the annual levies for the current year, which for general town purposes shall not exceed ten mills on the dollar of the assessed value of the taxable property within the town. The council may levy additional taxes as follows: of not more than two and one-half mills for school purposes; of not more than one mill for building purposes; of not more than five mills for water and fire protection, and of not more than one and one-half mills for streets and parks; Provided, That the council shall give notice of the intention to levy the additional taxes or any of them, by posting such notice in at least two public places in said town for at least three weeks prior to such levy, and it shall require a two-thirds majority of

the councilmen present to make any such additional levy. A failure to post such notice of the intention to levy the additional taxes as aforesaid shall not, however, invalidate the said taxes if levied as aforesaid, but the said direction as to posting shall be considered and held as directory only. A levy for the interest on any bonds of the town outstanding and for a sinking fund to pay the principal of such bonds shall also be made.

Sec. 9. The Assessor shall calculate and carry out on the assessment roll the several levies of taxes on the properties assessed, designating the several levies in separate columns prepared for the purpose and rejecting fractions of a cent in making the calculations. He shall make in the assessment roll such recapitulations as may be necessary to show clearly and concisely the totals of the real and personal assessment and of the several tax levies made. He shall make a copy of the roll when completed, with the levies extended thereon and as soon as practicable shall present the original and the copy to the council, which shall examine them, and if found correct, shall so certify on the original and on the copy, which certificate shall be signed by at least a majority of the members of the council. The Assessor shall make on the original and on the copy his certificate substantially as follows:

Assessment  
Roll.

I, ....., Tax Assessor of the Town of Winter Park, do hereby certify that the foregoing is the assessment roll of the taxable property within said town valued at its fair cash value, and that it contains a true statement and description of all property within said town subject to taxation by said town or liable to be assessed therein; that the listing and valuation therein show correctly and accurately the listing and valuations as corrected, accepted and adopted by the town council, and that all requirements of the law and the ordinances regulating the making of the assessment roll have been complied with.

Dated .....

.....  
Tax Assessor of the Town of Winter Park.

And thereupon he shall attach to the original a warrant in substantially the following form:

To .....  
Tax Collector of the Town of Winter Park.

You are hereby commanded to collect out of the property and from each of the persons, corporations and firms named in the annexed assessment roll the taxes set down therein opposite each name or parcel of land or property therein described, and in case the taxes so imposed are not paid at the time prescribed by law you are to collect the same or cause the same to be collected in the manner provided by law and all money collected you are to account for to the Town Treasurer. And you are further required to make all collections, reports and settlements as required by law and ordinances.

Given under my hand this .....  
day of ..... A. D. ....

.....  
Tax Assessor of the Town of Winter Park.

A failure to make the Assessor's certificate aforesaid shall not invalidate the proceedings nor shall the failure to attach the warrant aforesaid invalidate the proceedings; Provided, the said original assessment roll was actually delivered to the Tax Assessor, and such delivery to him shall be sufficient warrant.

#### Collection of Taxes.

Sec. 10. All taxes on the assessment roll shall be due and payable on the first day of September in each year, or as soon thereafter as the assessment roll shall come into the hands of the Tax Collector, of which he shall give notice by posting notice thereof in at least two public places in the said town at the time of and for at least one week immediately after the said assessment roll shall have come into his hands. The collection of all taxes remaining due and unpaid on the first day of January thereafter shall be enforced in the manner hereinafter provided, and interest at the rate of twelve per cent per annum from the date of said publication of notice by the Tax Collector



shall be added thereto and collected as part of the tax.

Sec. 11. All taxes on real and personal property shall be a lien superior to all others and shall relate back to the first day of January of the year for which they are assessed and levied. The taxes on real property shall be and remain a lien thereon until paid and the said lien or any proceedings to enforce it and to collect the taxes on real property shall not be barred by any statute of limitations now existing, nor shall the said lien or the said proceedings be held to be barred by any statute of limitations hereafter enacted which does not in terms refer to the lien of the taxes of the Town of Winter Park and the proceedings to enforce it and to collect the taxes; and the said lien shall not be divested by any State and County tax sale nor by any deed based on such tax sale.

Lien.

Sec. 12. The Tax Collector shall have power at any time after the first day of January in each year to issue distress warrants and alias and pluries distress warrants in the name of the State and town to enforce the collection of taxes on personal property and privileges which warrants may be directed to and executed by the Town Marshal or by any Sheriff, Deputy Sheriff or Constable of the county. The Tax Collector shall give at least two weeks notice of any sale under such warrants, stating the time and place of sale, by posting in three public places in the town. Such property may be sold at the door of the Town Hall, or at the place where it is located, in the discretion of the Tax Collector.

Notice of  
Sale.

When any personal property on which taxes are due, whether before the time for payment has expired or after, is removed from the town, or from the county, so that there is a possibility that such taxes may be lost, the Tax Collector may by his warrant, addressed to the Sheriff of the County, or of any other County to which the said property may have been taken, and describing the property, and giving the name of the owner, if known, and the amount of tax due, authorize such Sheriff to levy

upon and sell the said property and to collect the taxes due and pay the same over to the Tax Collector. And in such cases the Sheriff shall receive the same fees as in case of levy and sale under an execution, which shall be charged as costs against such property. The sale may be had either at the door of the Court House, or at the place where the property is located, in the discretion of the Sheriff, and notice of the sale shall be given for two weeks, once a week, in some newspaper published in the county in which the property may be levied on.

Collection  
by Suit.

Sec. 13. If the taxes on any real estate shall not be paid before the first day of January next after the roll shall have come into the hands of the Tax Collector, he may, at any time thereafter make from the roll a copy of any assessment and tax thereon remaining unpaid, showing the assessment of any lot, parcel or tract of real estate as the same appears upon the roll with the tax which he shall certify to be a true copy from the roll and shall deliver the same to the Town Clerk of the Town of Winter Park for collection; which certified copy shall be prima facie evidence of the contents of the assessment roll and of the levies made thereon, and of the regularity and validity of all the proceedings on which the same is based, in all suits to enforce the payment or the lien of such taxes as may appear upon the said certified copy, and the Tax Collector shall, upon request of the Town Clerk, make out and deliver to him a certified copy of any such assessment or assessments remaining unpaid on and after the 31st day of December in any year. The Town Council also may direct the Tax Collector at any time after the first of January in each year, either by resolution or by ordinance, to make out and deliver to the Town Clerk such copy or copies, and may also in like manner direct the Town Solicitor to proceed upon the same to enforce the payment of the tax or taxes. The Tax Collector upon delivering any such copy to the Town Clerk shall enter upon the assessment on the roll that it has been certified to the Town Clerk with the date of the delivery, and thereafter the collection of such tax shall be made by

the Town Clerk and not by the Tax Collector. A duplicate list of such assessments and tax thereon remaining unpaid shall also be certified to and shall be recorded with the Clerk of the Circuit Court of the county in which the said Town of Winter Park is located in the same manner now provided by general law relating to cities and towns with regard to tax certificates. A failure to furnish or record such duplicate list with the Clerk of the Circuit Court shall not, however, invalidate any proceedings provided hereunder for enforcing payment of such tax, but such direction as to recording with the Clerk of the Circuit Court shall be considered and held as directory only.

At any time after receipt of such certified copy by the Town Clerk as aforesaid, the Town Solicitor may, and, when directed by the Town Council, shall bring in the Circuit Court for Orange County, a bill in chancery to foreclose the lien of the taxes so shown to be due and unpaid, which bill shall allege the town's claim of lien against the real estate described, and shall be brought in the name of the Town of Winter Park as plaintiff against the person named as owner of the real estate on said certified copy, if any person be named as owner, and such other persons as the Town Solicitor may know or have satisfactory reason to believe to be owners of or interested in such real estate or to have any right thereto or lien thereon except as tenants.

The Town Solicitor for the purpose of making defendants need not inquire who are the occupants of such real estate, or make search in the records of the county. If such real estate be assessed to an unknown owner, the Town Solicitor may bring the bill against the real estate itself as defendant.

Upon application of the Town Solicitor, the Clerk of the Circuit Court shall make an order of publication of notice to all persons having any interest or right, whether as owners, lien holders or otherwise in such real estate, which notice shall be addressed "To All Whom It May Concern" requiring them on or before a rule day to be fixed by such order, to appear to and answer such bill and set forth the



## REVISED ORDINANCES OF WINTER PARK, FLA.

natures of their respective interests in, rights to and liens upon said real estate; which order shall be entitled with the names of the parties named in the bill and shall contain a description of the real estate and shall be published in a newspaper published in the county in which the Town of Winter Park is situate once a week for any four consecutive weeks prior to the sale day fixed in such order, and in all suits in which such order and publication shall be made in the interests, rights and liens of all persons in, to and upon such real estate, whether such persons be named as defendants in the bill or not, shall be foreclosed and their respective interests, rights and liens shall by the proceedings be affected thereby to the same extent as though they were named and duly served and had appeared as parties defendant in such suit, but should such suit be prosecuted to conclusion without the publication of such notice, the interests, rights and liens of those persons only who were named as defendants and duly served shall be foreclosed. Such order and publication shall not avoid the necessity of service of a subpoena upon all parties named as defendants who are to be found within the jurisdiction of the court, and service upon absent defendants named in the bill shall be by publication as in other chancery cases.

If the real estate itself be made the defendant, the service shall be made by the making and publication of the order "To Whom It May Concern" herein provided, and the bill may be taken as confessed on any rule day after that to which the persons interested are by such order required to appear and answer, if no plea, demurrer or answer has been filed.

The Town Solicitor shall foreclose in one bill all the tax certificates and unpaid taxes certified to him which he holds against a piece of real estate at the time of bringing the bill, and if any unpaid assessments be certified to him after bringing the bill he need not include the same in such suit by supplemental bill or otherwise, and no sale had in the cause shall divest the lien or any taxes except those sought to be foreclosed by the bill.

The Town Solicitor need not attach as exhibits to the bill either the originals or copies of any certified copies of unpaid assessments, or to tax certificates which he seeks to foreclose by the bill.

Except as herein otherwise provided, the suits aforesaid shall be conducted agreeably to the practice of the Circuit Court in other chancery suits to foreclose liens.

A deed given to the purchaser at the sale in any such suit shall be an entire bar against the defendants and all persons claiming under such defendants, and if the order of publication addressed "To Whom It May Concern" has been made and published as hereinbefore provided, (including the cases in which the real estate itself is defendant) in any suit, the deed shall be an absolute bar against all persons, unless the court proceedings are void for want of jurisdiction.

Sec. 14. No assessment and no assessment roll under this Act shall be set aside or in anywise invalidated by any court for any error, defect, informality or omission which shall not amount to a want of due process of law under the Constitution of this State, or the Constitution of the United States, nor shall any assessment or any assessment roll be set aside or in anywise invalidated for any error, defect, informality or omission whatever existing prior to the expiration of the right of petition, if the owner or party interested shall have failed to petition the City Council as hereinbefore provided.

Assessment  
Valid.

No miscalculation of any tax upon the roll shall invalidate the tax, but if the amount extended on the roll be less than the true amount, the town shall collect only the amount extended with costs, but if the amount be greater, the town shall recover only the true amount and shall also recover costs unless tender shall have been made to it of the true amount.

Sec. 15. The Town Clerk shall be entitled to five per cent on all taxes collected by him without suit, which shall be added to the amount of tax, and

Allowed  
Fees

in all suits to enforce the payment of taxes wherein the town shall prevail, the Town Solicitor shall be entitled to a reasonable attorney's fee to be taxed as part of the costs, which allowances to the Town Solicitor shall be regarded as further penalties for the non-payment of the taxes within the time prescribed by law.

**Payments  
Made.**

Sec. 16. Upon a collection of the moneys due the town payment shall be made, first, of all costs of the proceedings except the Town Solicitor's fee, second, of the amount due the town for taxes and interest, and lastly of the Town Solicitor's fee.

**Assessment  
Roll Vali-  
dated for  
1912.**

Sec. 17. The assessment roll of the town of Winter Park for the year 1912 and all assessments thereon are hereby validated and confirmed, and the same shall not be set aside or in anywise invalidated for any error, defect, informality or omission which shall not amount to a want of due process of law under the Constitution of this State or the Constitution of the United States. No tax sale shall be held to collect the unpaid taxes thereon but said taxes shall be a lien until paid, without limitation, and the proceedings to enforce the payment of the said taxes and to foreclose the lien shall be as hereinbefore provided in this Act. The time for the payment of the said taxes is hereby extended to and including the 30th day of June A. D. 1913, after which date a certified copy of the unpaid assessments and taxes on real estate on the said roll shall be delivered to the Town Clerk with the same effect and in the same manner as is hereinbefore provided and the Town Clerk or the Town Solicitor shall with all convenient speed proceed to collect the same with costs as is provided in this Act for the collection of taxes levied under the authority of this Act.

**Assessment  
Roll Vali-  
dated for  
1910 and  
1911.**

Sec. 18. The assessment rolls of the Town of Winter Park for the years 1910 and 1911, with all assessments thereon and the tax sales of the town in the years 1910 and 1911 based thereon are hereby validated and confirmed and the same shall not be set aside or in anywise invalidated for any error,



defect, informality, or omission which shall not amount to a want of due process of law under the Constitution of this State and of the Constitution of the United States. The tax sale certificates issued at said sales to the town and still held by it are hereby declared to be liens on the properties described in such certificates respectively without limitation and the town shall not be entitled to take possession of the properties bought by it at such tax sales, nor shall it be required or permitted to bring suit for the recovery of any of the lands so bought by it, but the lien of the said certificates shall be enforced in the manner provided by this Act as to the liens of taxes assessed under the authority of this Act. The time for the taking up of said certificates is hereby extended to and including the 30th day of June A. D. 1913, after which date said tax sale certificates shall be delivered to the Town Clerk, and the Town Clerk or Town Solicitor shall proceed with all convenient speed to collect the same with costs as is provided in this Act for the collection of taxes levied by authority of this Act. Such certificates shall be prima facie evidence of the regularity and validity of all the proceedings on which the same are based in all particulars which may not be validated by this section.

Sec. 19. If any Tax Assessor, Tax Collector, Marshal or Town Solicitor of the said town shall be for any reason disqualified or incapacitated from performing any of the duties imposed upon him by this Act, the Town Council may appoint some other person to act for such officer so disqualified or incapacitated, and such officer shall have, for the time being, all the powers conferred upon such officer and shall in like manner be subject to the duties imposed upon him by this Act.

Pro Tem.  
Officer

Sec. 20. The Town Council shall have full power and authority to direct and regulate by ordinance the methods of reporting and accounting by the officers of the town who may under this Act be empowered to collect the revenue of the town or any part thereof.

Supervision  
by Council.

Sec. 21. Nothing in this Act contained shall impair the validity of any assessment of taxes by the town prior to the taking effect of the same.

Sec. 22. All laws or parts of laws in conflict with the provisions of this Act are hereby repealed so far as they affect the said town.

Sec. 23. This Act shall take effect immediately upon its approval by the Governor, or in case it should not receive his approval, immediately upon its becoming a law.

Approved May 14, 1913.

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Chapter 6797. (No. 377)

A Bill to Be Entitled An Act to Legalize the Election Held in the Town of Winter Park, Orange County, Florida, on the 25th Day of February, A. D. 1913, to Determine by Vote of the Qualified Electors of Said Town Whether or Not Bonds in the Sum of Ten Thousand Dollars Should be Issued by the Said Town For the Purpose of Installing Electric Light Equipment in Said Town, and to Legalize Bonds Issued and to be Issued Pursuant to Said Election, and All Proceedings Had in Connection Therewith, and to Authorize the Installation in Said Town of Said Electric Light Equipment.

Section 1. That the election held in the Town of Winter Park, Orange County, Florida, on the 25th day of February A. D. 1913, to determine by a vote of the qualified electors of said town whether or not bonds to the amount of ten thousand dollars should be issued by said town to provide for the installation of electric light equipment in said town, be and the same is hereby confirmed, legalized and validated, and the call and proclamation for said election theretofore made and issued by the Mayor of said town and all proceedings had and taken by the Mayor and council and all officers of said town in and about the calling and holding of the said election be and the same are hereby confirmed, legalized and validated.

Sec. 2. And all bonds issued and to be issued by said Town of Winter Park under and pursuant to the election mentioned in the foregoing section of amount and terms not exceeding and not in conflict with said call for the said election be and they are hereby confirmed, legalized and validated, and the Town Council of Winter Park be and it is hereby authorized to install and equip

the said town with electric light equipment as provided by law.

Sec. 3. This Act shall take effect immediately upon its becoming a law.

Approved June 4, 1913.

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#### A BILL TO BE ENTITLED

An Act to Enable the Town of Winter Park to Make Special Assessment on Real Estate Specially Benefited by Certain Municipal Improvements.

Be it Enacted by the Legislature of the State of Florida:

Section 1. That at any time within one year after any park, street, highway, or other way, ditch or sewer is laid out, opened, altered, widened, graded, paved, extended, dug, constructed or discontinued in the Town of Winter Park in Orange county, when in the opinion of the Town Council of the said town any real estate, including that a part of which may have been taken for that purpose, shall receive any benefit and advantage therefrom beyond the general advantages to all real estate in said town, the Town Council may adjudge and determine the value of such benefit and advantage to any such real estate and may assess a proportionate share of the expense of said improvement, but in no case shall such assessment exceed one-half the amount of such expense, the balance to be borne by the general tax or by bonds issued for the purpose according to law. The Town Council may permit the person or persons liable for said amount to pay the same in installments to be paid at such time and with such interest (not exceeding eight per cent per annum) as it may determine.

Sec. 2. All assessments made or re-made under this Act shall be liens on the property against which such assessments are made or remade, and may be enforced in the manner now or hereafter provided by the general laws for the enforcement of such liens by cities and towns.

Sec. 3. This Act shall take effect immediately upon becoming a law.

Approved June 1, 1915.



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